Finding Guide

Appomattox County Board of Supervisors Minutes

SCAN GROUP	START YEAR	MICROFILM REEL	BOOK #	FORMAT
	1895	17	*NA (1)*	Large Format
	1901	18	*NA (2)*	Large Format
	1913	18	*NA (3)*	Large Format
	1921	18	4	Large Format
	1932	19	5	Large Format
	1940	19	6	Large Format
	1951	20	7	Large Format
	1961	20	8	Large Format
	1968	21	9	Large Format
	1972	21	10	Large Format
	1976	22	11	Large Format
	1980	22	12	Large Format
	1982	23	13	Large Format
	1984	24	14	Large Format
	1987	*NA*	15	Large Format
	1990	*NA*	16	Large Format
25 NOV2025-17	1992	*NA*	17	Red Book 8.5x11
25 NOV2025-18	1995	*NA*	18	Red Book 8.5x11
25 NOV2025-19	1999	*NA*	19	Red Book 8.5x11
	2002	*NA*	20	Red Book 8.5x11
	2005	*NA*	21	Red Book 8.5x11
	2007	*NA*	22	Red Book 8.5x11
	2010	*NA*	23	Red Book 8.5x11
	2012	*NA*	24	Red Book 8.5x11
	2016	*NA*	25	Red Book 8.5x11

NOTES

Microfilm by Belinda D. Pillow (1985)
Microfilm held by the Library of Virginia
Finding Guide by Nathan A. Simpson (2025)

A recessed meeting of the Appomattox County Board of Supervisors was held on May 24, 1999 after the public forum, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Earl Dickerson – Hurt and Proffitt

Mr. Bosiger reconvened the meeting at 9:00 P.M. and called Sheriff Staples to appear before the Board. Mr. Bosiger explained that the reason for meeting with Sheriff Staples was to discuss the need for resource officers for the Middle and High Schools. Mr. Bosiger then read portions of a letter received from Dr. Krug, Superintendent of Schools, supporting Sheriff Staple's request. Mr. Bosiger then asked Sheriff Staples to present his request.

Sheriff Staples began by explaining that he had received two grant applications that could provide resource officers for the schools for a short period of time. Sheriff Staples continued that the time was running short to make a decision on this matter because a school was scheduled for July 26 – 30, 1999 to train these officers in the specifics of resource officers duties. Sheriff Staples continued that he was willing to apply for both grants and accept the one that provided the most funding but he needed reassurance from the Board that at the end of the grant period the Board would take over the funding for these two positions.

A lengthy discussion followed with Sheriff Staples answering numerous questions of the members of the Board.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to honor Sheriff Staples' request and allow him to apply for grants to place resource officers in the middle and high schools. Also, the Board would provide local funding for these officers if the grants are not approved or at the termination of the grants. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Sheriff Staples and explained that Mrs. Ferguson had presented a question concerning the rental house that the County owns on Route 727. Mr. Bosiger explained that the house would be vacant in approximately thirty days and

that there was a fair amount of work needed to this property prior to renting it to someone else. Mr. Bosiger asked what the Board wished to do with this property.

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson would get estimates for the needed repairs to the property and present them to the Board before a decision would be made.

Mr. Bosiger next explained that Sheriff Staples had reported some problems at the Community Center with groups hanging out and fighting. Sheriff Staples had requested the Board take appropriate action to help him police this area.

After discussion and by consensus of the Board, it was agreed that Mr. Carwile would discuss this matter with the Community Center Board of Directors and report back to the Board on June 7, 1999.

Mr. Bosiger next explained that an executive session was necessary to discuss a legal and a personnel matter.

At 9:50 P.M. Mr. Carwile made a motion seconded by Mr. Moore to enter into executive session to discuss a legal and a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence at 10:17 P.M seconded by Mr. Carter it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Carwile the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for action necessary from the executive session.

Mr. Torrence made a motion seconded by Mr. Carter to hire Mays and Valentine by June 1st, if necessary, to help with landfill permit application. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to hire Chris Swanberg as Maintenance Assistant at an annual salary of $13,520.00 with a 6-month probation. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business at 10:20 P.M., Mr. Carter made a motion seconded by Mr. Torrence to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on June 7, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and called on Mr. Torrence to deliver the invocation.

Mr. Bosiger next called for additions or corrections to the minutes.

Mr. Torrence stated that on page "y" there was a list of sites that had been considered for the elementary school and that the paragraph states that the sites had been rejected. Mr. Torrence continued that the last two sites had not been rejected.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the regular meetings of May 3, 1999 and May 17, 1999; a joint public hearing of May 17, 1999; a recessed meeting of May 17, 1999; and a public forum of May 24, 1999 (as

corrected). Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked for approval of the bills dated June 7, 1999.

Mr. Torrence made a motion seconded by Mr. Carter to approve the bills of June 7, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by explaining that the Board had been presented with a resolution for, cleaning up the project on Route 634 and asked the Board to adopt this resolution.

Mr. Carwile made a motion seconded by Mr. Moore to adopt the following resolution:

WHEREAS, Route 634, Project 0634-006-191,M501 from Route 460 (WBL) to 0.612 mile East Route 460 (WBL) has been constructed and approved by the State Transportation Board, and

WHEREAS, Construction of Route 634 has caused sections of existing road to follow new location, as shown on the attached sketch titled "Changes in the Secondary System Due to Relocation and Construction on Route 634, Project 0634-006-191,M501" and dated at Richmond, Virginia, February 9, 1999.

BE IT RESOLVED, that the portion of Route 634, Section 1, as shown in blue on the aforementioned sketch having a total length of 0.15 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 634, Section 2, as shown in blue on the aforementioned sketch having a total length of 0.32 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 634, Section 5, as shown in blue on the aforementioned sketch having a total length of 0.05 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 634, Section 3, as shown in red on the aforementioned sketch having a total length of 0.16 mile be added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950 as amended.

BE IT FURTHER RESOLVED, that the portion of Route 634, Section 4, as shown in red on the aforementioned sketch having a total length of 0.32 mile be added to the

Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 634, Section 6, a shown in green on the aforementioned sketch having a total length of 0.04 mile be added to the Secondary System of State Highways pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Ms. Lindsay explained that the railroad has begun work on the Main Street crossing and she is unsure of their date for completion.

Mr. Bosiger asked if any Supervisor had concerns for Ms. Lindsay.

Mr. Carwile began by referencing the drainage ditch next to Carver Price Elementary School. Mr. Carwile asked if what he was observing was a result of his request concerning the dangers with the ditch.

Ms. Lindsay explained that she was unaware of any work being done in this area but she would check on this and get back with Mr. Carwile.

Mr. Torrence explained to Ms. Lindsay that he was concerned with the fact that F1021 was unpaved.

Ms. Lindsay explained that F1021 was never designed to be surfaced. Ms. Lindsay explained that it was designed to be a gravel surface road back to those houses.

Mr. Torrence continued that all the other access roads that were constructed during the bypass construction were surfaced.

Ms. Lindsay explained that F1021 was not the only access road that was gravel.

Ms. Lindsay then explained the process for getting this access road surfaced.

Mr. Torrence asked if a guardrail could be installed at the end of this road due to a steep drop off.

Mr. Carter asked if the improvements to Route 641 included widening?

Ms. Lindsay stated that there would be very little widening to Route 641.

Mr. Bosiger asked if anyone had other concerns for Ms. Lindsay?

Hearing none, Mr. Bosiger thanked and excused Ms. Lindsay.

Mr. Bosiger called for Supervisor Concerns.

Mr. Carwile stated that he would like to take the other members of the Board back several years to when the Town put the well at the Community Center. Mr. Carwile continued that it was his understanding that the Town agreed to cut the grass at the Community Center for the County allowing them to place a well on this site. Mr. Carwile asked Mrs. Ferguson if she would check into this and report back to the Board.

Mr. Carter explained that as he remembered it when the Town gave the County the ballpark they also turned over the grass cutting of the ballpark and the Community Center to the County.

By consensus of the Board it was agreed that Mrs. Ferguson check with the Town on this matter and report back at the next meeting.

Mr. Carwile then reported that he had met with the Community Center Board of Directors concerning the problems with the basketball area. Mr. Carwile stated that he had checked with the Sheriff concerning the problem that had occurred at the Community Center and felt that it was an isolated incident.

Mr. Carwile continued that the Community Center Board had recommended that the Board of Supervisors ask the Sheriff to have his department patrol the Community Center on Saturday and Sunday between the hours of 4:00 to 8:00 P.M. Also, that no trespassing warrants be issued against those that are causing trouble.

Mr. Carwile in closing asked the Board not to be too drastic with their actions.

Mr. Moore asked if this was an isolated incident or an ongoing thing?

Mr. Carwile stated that it was an isolated incident but there was some foul language, alcohol use and indecency going on.

Discussion followed.

Mr. Bosiger called for other Supervisor Concerns.

Mr. Torrence stated that he would like to welcome Mr. Jerry Kendrick and Mr. Jesse Hancock to the meeting.

Mr. Bosiger began that he would like to give a brief report on the meeting with the Emergency Services Committee. Mr. Bosiger continued that he felt the meeting was very productive and that the Fire Department was going to formulate a plan for constructing a building to house the fire trucks and have a meeting room and share the training facilities in the rescue squad meeting. Mr. Bosiger explained that the hope was that they could construct their building on the rescue squad lot. Mr. Bosiger also stated that the fire

department plans to raise money to construct this building similar to the way Pamplin has done.

Mr. Bosiger then brought to the Board the Planning Commission Recommendations from the May 17, 1999 public hearing.

Mr. Carwile made a motion seconded by Mr. Moore to approve petition 99-376 of Courtland Realty Associates to rezone property from A-1 to R-2. Property is Tax Map No. 90-A-107 and 90-A-94 and is located on Route 622 between Route 633 and Route 620. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to approve petition 99-377 of J. Samuel Bryant, Jr. for a conditional use permit to allow storage yard and landscaping material sales. Property is Tax Map No. 27-2-8 zoned B-1 and is located on Route 26 between Route 608 and Route 615. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Mr. Mike Geisinger, District Director, Virginia Cooperative Extension, for a budget increase to their FY2000 budget to pay for funding in order to provide Family and Consumer Science programs in the County.

Mr. Torrence made a motion seconded by Mr. Carter to transfer $800.00 from 1101-5804 to 8303-1001 in the FY2000 budget to pay for the Family and Consumer Science programs in Appomattox County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that it was time to name an administrative agent for the Indoor Plumbing/Rehabilitation Program. Mr. Bosiger continued that at the present time Lynchburg Community Action Group was handling this program for the County and that there had been no complaints.

After discussion, and by consensus of the Board, it was agreed to have Lynchburg Community Action Group continue to handle the Indoor Plumbing/Rehabilitation Program for Appomattox County.

Mr. Bosiger then explained that the Appomattox County Historical Society, Inc. had invited the members of the Board to a meeting on June 8, 1999 to discuss the plans for the Old Jail (museum).

A lengthy discussion followed.

After discussion Mr. Carter made a motion seconded Mr. Carwile to support keeping the wings on the museum and if necessary design the new construction around the wings. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore explained that Mr. Hal Craddock had agreed to meet with the Historical Society and offer some alternatives to their space needs problems.

Mrs. Ferguson was asked to contact Mr. Craddock to schedule a date that he could meet with the Historical Society.

Several members of the Board stated that they plan to attend the Historical Society meeting and it was agreed that Mr. Carter would speak on behalf of the Board.

Mr. Bosiger next explained that the Board had been contacted about taking part in legal action against VMGSIA and VMLP concerning changes in their dividend policy.

After discussion, no action was taken.

Mr. Bosiger then presented several supplemental appropriation requests.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate the following:

$124.15 to 3501-5402
177.50 to 3501-5802
179.25 to 5310-3001
14.00 to 7301-5401
67.99 to 7301-5411
17.70 to 8303-5203

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to pay livestock damage claim to Henry Herbert in the amount of $177.50. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate $48,615.50 from the Capital Improvement Fund to pay the first installment to Marathon Equipment Company for the baler with the understanding that when financing is obtained the CIP will be reimbursed. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Moore to appropriate $13,682.89 to 4204-3002 to pay for engineering services. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then read a letter from Marcie S. Jones, FHA/HERO Adviser, requesting funding for members of the FHA/Hero Chapter to attend national competition. Mr. Bosiger explained that the group had raised $8,850 and an additional amount of $1,150.00 was needed.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate $1,150.00 to donate to FHA/HERO Chapter to help with expenses to attend national competition. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to approve a $1,500.00 appropriation from the Athletic Fund for the month of July 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to make the following appropriations for the schools:

Textbook Rental Fund	$150,000.00
Trigon Health Care Fund	85,000.00
School Capital Improvement Fund	$120,000.00

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Board had agreed in the past that America's Promise was a worthwhile cause and explained that a resolution was necessary supporting this at the regional level.

Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS both the basic and developmental needs of all our children and youth are not being fully addressed;

WHEREAS these needs must be a priority for our citizens, government, education, for-profit, non-profit organizations and faith communities;

WHEREAS the best way to care for our children and youth is in a unified, collaborative effort;

WHEREAS the combination of all our intellectual, financial and material resources should be leveraged to provide our children and youth the best change to grow into responsible adults;

WE, the Appomattox County Board of Supervisors, commit ourselves to realizing the goals of Central Virginia's Region 2000's Promise that will work to provide each child a healthy start, a caring adult mentor, safe and structure places in which to play and learn, effective education to develop marketable skill, and the opportunity to give back to his or her community through the volunteer service.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the notice of the June 21, 1999 public hearing did not get into the newspaper on time and therefore the zoning public hearing for June would be held on June 28, 1999. Mr. Bosiger asked if the other members of the Board would be

interested in combining the June 21, 1999 regular meeting and the July 6, 1999 regular meeting and meet on June 28, 1999?

After discussion, it was agreed to combine the June 21, 1999 and the July 6, 1999 regular meetings into a meeting on June 28, 1999, after the zoning public hearing.

Mr. Bosiger then asked Mr. Carroll if he would explain the information presented in the Board Book concerning the landfill.

Mr. Carroll gave a brief report on landfill activities.

Mr. Bosiger then turned to the Additional Items for June 7, 1999.

Mr. Bosiger explained that Mrs. Ferguson was requesting the release of the $30,920.00 from the FY1999 budget that was designated A. L. Philpott Grant. Mr. Bosiger explained that the County/IDA had met the requirements for receiving this grant and that the funds needed to be transferred to the I.D.A. in this budget year.

Mr. Carter made a motion seconded by Mr. Torrence to pay the I.D.A. $30,920.00 from the A. L. Philpott grant. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mr. Bruce Cowan did not wish to serve on the Regional Renaissance Board of Directors and asked if anyone had a name to submit for this position.

Mr. Carter stated that he had spoken with Marvin House and Mr. House had shown some interest in this project.

Mrs. Ferguson was instructed to contact Mr. House with the details concerning this appointment.

Mr. Bosiger next explained that Mrs. Ferguson was requesting approval for she and Mr. Carroll to attend LGOC and VACO's Annual Conference.

After discussion and by consensus of the Board it was agreed for Mrs. Ferguson and Mr. Carroll to attend LGOC in August and VACO's Annual Conference in November.

Mr. Bosiger explained that Mrs. Ferguson had recently attended a seminar on the Freedom of Information Act and had provided copies of the Act to the members of the Board and the County Attorney.

Mr. Bosiger asked if there was other business.

Mr. Carwile asked if the Central Virginia Commission on Aging was paying rent at the Community Center.

Mrs. Ferguson explained that they were not because the Board of Supervisors had waived their rent for the last several years.

Mr. Carwile asked if Mrs. Ferguson would see if other localities have done the same.

Mr. Bosiger then explained that an executive session was necessary to discuss the acquisition of property for public purposes.

At 8:40 P.M. Mr. Carter made a motion seconded by Mr. Torrence to enter into executive session to discuss the acquisition of property for public purposes. Vote: all aye.

On a motion by Mr. Carter at 8:48 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
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> NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was action necessary from the executive session.

Mr. Carter made a motion seconded by Mr. Torrence to hold a public hearing on June 28, 1999 at 6:30 P.M. on the elementary school site. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter asked the status of the Bobby Moore problem at Concord.

Mrs. Ferguson explained that warrants had been issued.

Mr. Torrence asked Mrs. Ferguson to keep the Board informed as to the progress of this case.

Being no further business, Mr. Moore made a motion at 9:18 P.M. seconded by Mr. Torrence to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A public hearing of the Appomattox County Board of Supervisors was held on June 28, 1999 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Site Committee):
Samuel Carter
Dennis Torrence
Lannis Selz
Kenneth McClenny

Also Present:
Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Earl Dickerson – Hurt & Proffitt
Blair Smith – Fauber Architects

Mr. Carter called the public hearing to order and explained that prior to receiving public comments the Elementary School Site Committee would provide information on the last two sites that have been considered for placement of a new elementary school.

Mr. Carter began that after six plus years the Elementary School Site Committee was ready to make a recommendation to the Board of Supervisors. Mr. Carter continued that current committee members included Lannis Selz, Kenneth McClenny, Dennis Torrence and himself. Mr. Carter explained that the committee also enlisted the services of two professionals, Earl Dickerson of Hurt & Proffitt and Blair Smith of Fauber Architects for site evaluations and projected cost estimates. Mr. Carter explained that this was a through and in-depth evaluation of all the potential sites, where nothing was taken for granted.

Mr. Carter then asked Mr. Torrence to provide further information.

Mr. Torrence began by explaining that at the previous public forum and evaluation of two sites were presented the Wilbun site and the Bryant site. Mr. Torrence continued that at the public forum another site surfaced and the committee again had comparisons done between these two sites the Courtland site and the Bryant site. Mr. Torrence stated that after careful study the Bryant site still appeared to be the best site for the proposed elementary school. Mr. Torrence provided the pros and cons of both sites. Mr. Torrence then asked Mr. Earl Dickerson to provide site development information.

Mr. Dickerson began by stating that from a civil engineering standpoint the sites were basically the same in terms of the cost to develop. Mr. Dickerson then ran through the comparison of the two sites highlighting the major differences in the two sites.

Mr. Carter then asked Mr. Blair Smith to provide the cost comparisons for the total project.

Mr. Smith began that his purpose was to show the total project costs for the various projects. Mr. Smith provided an overhead that gave the various costs estimates.

Mr. Carter then called for comments on the information that had been provided.

Mrs. Renee Hoffman came forward and gave her address as Route 5 Box 370, Appomattox, Virginia. Mrs. Hoffman began that she wished to speak first because her children were at a swim meet at the Country Club and she would need to leave as soon as possible. Mrs. Hoffman continued that a lot of the parents that are concerned with this project are at the swim meet and were therefore unable to attend. Mrs. Hoffman continued that these parents were all in support of a new school. She stated that these were the parents that were in the schools frequently. That these were the parents that had gone to get their children out of school early on the very hot days and not sent them on certain days. She continued that these were the parents that sat on safety committees, they are the ones that are right there with the teachers and the kids. She assured the Board that these parents are in favor of a new school. Mrs. Hoffman encouraged the Board to please not cut corners on the proposal.

Mr. Carter called for other comments.

Mrs. Nina Beasley came forward and gave her address as Appomattox, Virginia. Mrs. Beasley continued that she lived on Route 691 and had no problem with the Board building a new school. Mrs. Beasley continued that her concern was with the traffic that would increase on Route 691 if the Bryant site were chosen for the new school. Mrs. Beasley continued that there were a lot of people on Route 691 that would be messed up if the Bryant site were chosen. Mrs. Beasley continued that when she came to the public forum she asked how many school buses would be routed in this area and that she was told 22, but after checking she finds that there will be 45 twice a day. In closing Mrs.

Beasley stated that she was opposed to the Bryant site and that she would not donate right-of-way in order to widen Route 691.

Mr. Carter called for other comments.

Mrs. Darlene Reed came forward and gave her address as Spout Spring, Virginia. Mrs. Reed asked why the present elementary school could not be renovated. Mrs. Reed continued that the people that she spoke with all wanted to renovate the present school. Mrs. Reed stated that the County spent a lot of money to renovate one school and that they were basically saying that they were going to do away with another and say that you could not fix that one up. In closing Mrs. Reed continued that the Old Carver Price school was of value to a lot of people.

Mr. Carter called for other comments.

Mr. Eulantha "Jimmy" Drinkard came froward and gave his address as Route 3 Box 100, Appomattox, Virginia. Mr. Drinkard began that he did not believe that it would cost the same to renovate the old Carver Price School than to build new. Mr. Drinkard continued that it was not as old as the other high school that the County renovated. Mr. Drinkard continued that he had never heard mention of remodeling. Mr. Drinkard stated that the Carver Price school was a memorial to Mozella Price to the blacks in the community. Mr. Drinkard continued that we had been using that thing up and down 460 and that with the bypass the traffic had been decreased by the present school site. Mr. Drinkard stated that it looked like to him the Board wanted to spend more money than the County had. In closing Mr. Drinkard said that he could not see why we could not save this school air condition it and renovate.

Mr. Carter called for other comments.

Mrs. Susan Shutt came forward and gave her address as Appomattox, Virginia. Mrs. Shutt began that she was president of the PTO for the elementary school. Mrs. Shutt stated that the traffic in the afternoon when parents are picking up children creates a very unsafe environment for the children. Mrs. Shutt stated that her concern was for the safety of the children and that this was not a safe place for the children.

Mr. Carter called for other comments.

Mrs. Renee Martin came forward and gave her address as Route 1, Spout Spring, Virginia. Mrs. Martin began that she was a teacher at the elementary school. She continued that the teachers at the elementary school were excited about moving into a new building because of the many problems with the present facility. Mrs. Martin continued to list the safety issues with the present school. In closing Mrs. Martin stated that she was not in favor of renovation.

Mr. Carter called for other comments.

Mrs. Janice Marston came forward and gave her address as Route 1, Appomattox, Virginia. Mrs. Marston began that she was the principal at Appomattox Elementary School and that she was representing the staff. Mrs. Marston continued by going down a list of problems with the present facility and explained that she was not in favor of renovation. Mrs. Marston continued that she would encourage the Board to put the best interest of the children first and asked that the Board consider the safety and security issues in making their decision.

Mr. Carter called for other comments.

Ms. Kimberley W. Ray came forward and gave her address as Route 2 , Appomattox, Virginia. Ms. Ray began that she was in favor of renovation of the present facility. Ms. Ray continued that if the Board decided to build new she would like to see the original Carver Price name returned to the building and the Board provide a budget to keep the facility up. Ms. Ray in closing stated that she did not want to see Carver Price vacant.

Mr. Carter called for other comments.

Ms. Susan Book came forward and gave her address as Route 5, Appomattox, Virginia. Ms. Book began that she would much rather see a school on the Bryant site than a jail. Ms. Book stated that she had concerns that the Courtland site and the Bryant site were the only sites that had been studied. Ms. Book continued by asking if there was a dead line on making the decision. Ms. Book stated that she realized that there were ventilation problems with the present school but she also felt for the people who live around the proposed Bryant site. Ms. Book stated that she hoped the Board would take into consideration what placing a school on the Bryant site would do to the people who lived around there. Ms. Book also asked the Board to consider the taxpayers when making their decision.

Mr. Carter called for other comments.

Mr. Milton Chambers came forward and gave his address as Route 3, Appomattox, Virginia. Mr. Chambers began that he may have missed some of the facts but he felt that renovation of the elementary school should be looked at carefully. Mr. Chambers continued that if you could renovate the middle school he did not understand why you could not renovate the elementary school.

Mr. Carter called for other comments.

Mr. Bill Hunter came froward and stated that he was not against a new school but he was concerned about the dollars and the cost to the taxpayers. Mr. Hunter also said that he was concerned with the number of acres that was being purchased for the proposed elementary school project. Mr. Hunter asked the Board to cut down on the acreage that they are planning to purchase for the elementary school if at all possible.

Mr. Carter called for other comments.

Mr. Shawn Desmond Chambers came forward and gave his address as Route 3 Box 14, Appomattox, Virginia. Mr. Chambers began that he did not believe that enough time had been put into looking at other sites. Mr. Chambers continued that he felt it would be too congested in this area on Route 691 and that he was concerned with the safety of the children.

Mr. Carter called for other comments.

Hearing none, Mr. Carter declared the public hearing closed at 7:30 P.M.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on June 28, 1999 at 7:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Town Council):
Ronnie Spiggle, Mayor
R. L. "Dick" Bass, Vice Mayor
Jimmy Mayberry
Joyce Bennett
Marvin Mitchell

Absent (Town Council):
Steve Lawson

Present (Planning Commission):
Al Sears, Chairman
Wayne Lewis
Calvin Tanner
Russell Moore
Marvin Mitchell
Claude Allen Moore (late)

Absent (Planning Commission):
Jim Sefter

Kevin O'Brien
Elizabeth Edwards
Robert Johnson

Present (Board of Zoning Appeals):
Matt Lair
James Cheatham
Cliff Harvey

Absent (Board of Zoning Appeals):
Elizabeth Edwards
Vacant

Also Present:
Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
W.M. Caldwell, Clerk to the Planning Commission

Mr. Bosiger called the public hearing to order stated the purpose of the hearing was to receive public comment on several zoning petitions. Mr. Bosiger then gave the procedure for addressing comments.

Mr. Bosiger called on Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 99-381 of Tammy Franklin Chandler for a conditional use permit to allow mobile home in Village District. Property is Tax Map No. 41-(A)-46 located on Route 616 between Route 655 and Route 24.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-382 of Obie Fred Chandler and Timothy S. Chandler to rezone property from R-1 to A-1. Property is Tax Map Nos. 41-5-3 and 41-5-2 and is located on Route 697 between Route 24 and Route 24.

Mr. Bosiger called for comments on this petition.

Mr. Obie Chandler came forward and gave his address as Route 3 Box 431, Appomattox, Virginia. Mr. Chandler explained that he needed to put a doublewide mobile home on this property for his son and his son's four children.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-383 of Harold and Jeanette Cordell to rezone property from A-1 to B-1 and Conditional Use Permit for Retail Nursery and Greenhouse. Property is Part of Tax Map No.88-A-25B located on Route 635 between Route 695 and Route 681.

Mr. Bosiger called for comments on this petition.

Mr. Harold Cordell came forward and gave his address as Route 1 Box 743, Appomattox, Virginia. Mr. Cordell stated that he wanted to start a nursery and greenhouse with a retail sales site. Mr. Cordell explained that most of his operation would be at least 400 feet from the road and that most of what would be in front would be flower gardens.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-384 of George R. Bowles, Jr. and George M. Evans, Jr. for a conditional use permit to allow construction of warehouse and light manufacturing space. Property is Tax Map No. 64-A6-A-23 & 27 located on Patricia Ann Lane between Route 460 Business and Dead End.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-385 for Charles M. Bub and Dorothy P. Bub for a variance to paragraph 170-80-A of the Appomattox County Zoning Ordinance pertaining to side yard setback. Property is Tax Map No. 41-6-C and is zoned V-1.

Mr. Bosiger called for comments on this petition.

Mr. James W. Franklin came froward and gave his address as Route 3, Appomattox, Virginia. Mr. Franklin continued that his property adjoined Mr. Bub's. Mr. Franklin continued that Mr. Bub did not have enough side yard to do what he wants to do. Mr. Franklin explained that he was opposed to Mr. Bub building that close to the property line.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger called on Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-386 of K. Wayne Spradlin for a conditional use permit to allow addition to existing repair garage. Property is Tax Map No. 73-A-10, located on Route 460 between Route 667 and Route 648. Property is conditional zoned B-1.

Mr. Bosiger called for comments on this petition.

Mr. Spradlin came forward and gave his address as P. O. Box 128, Concord, Virginia. Mr. Spradlin continued that his reason for expanding is so that he can keep his equipment inside and the car that he is repairing inside also.

Mr. Bosiger called for other comments.

Hearing none Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-387 of Kimberley W. Ray for a variance to paragraph 170-80A of Appomattox County Zoning Ordinance pertaining to front yard setback. Property is zoned R-1 and is located on Route 460 Business between Route 634 and Route 630.

Mr. Bosiger called for comments on this petition.

Hearing none Mr. Bosiger called on Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 99-388 of Friendship Baptist Church for a conditional use permit to add a sanctuary to an existing church. Property is Tax Map No. 76-4-1 and is located on Route 727 between Route 1065 and Route 642.

Mr. Bosiger called for comments on this petition.

Rev. Ernie Lucas came forward and gave his address as P. O. Box 2645, Appomattox, Virginia. Rev. Lucas stated that he was the pastor for Friendship Baptist Church and that they wanted to build a sanctuary for the purpose of worship, which was greatly needed.

Mr. Bosiger called for other comments on this petition.

Hearing none, and being no further petitions for consideration, Mr. Bosiger declared the public hearing closed at 7:45 P.M.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on June 28, 1999 at 7:30 after the public hearing in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore (late due to Planning Commission Meeting)
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and asked Mr. Carter to deliver the invocation.

Mr. Bosiger called for additions or corrections to the minutes.

Mr. Carter made a motion seconded by Mr. Torrence to approve the minutes of the recessed meeting of May 24, 1999 and the regular meeting of June 7, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of payment of the bills for June 28, 1999.

Mr. Carter made a motion seconded by Mr. Torrence to approve the bills for June 28, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next called upon Mrs. Vivian Seay to appear before the Board.

Mrs. Seay began that she had presented a copy of a plat for distribution to the Board prior to the meeting.

Mrs. Ferguson explained that the plat was located on page 1 of the Board Book.

Mrs. Seay explained that the parcel of land was located on Tower Hill Road, which was a dirt road. Mrs. Seay continued that the parcel contained 45.954 acres and that the purchaser and the seller thought that they would be able to cut off 2 acres and they thought that the plat had been approved but found out that it was not. Mrs. Seay explained that her reason for coming before the Board was to ask for the ability to have the plat approved. Mrs. Seay explained that to her understanding the reason it did not meet current zoning was because the road was a dirt road. Mrs. Seay continued that the Town maintained this road because they used it to get to the water tower. Mrs. Seay

explained that she did not feel that this was the kind of subdivision that it was anticipated the road would be paved.

Mr. Bosiger asked why this matter was before the Board instead of the Planning Commission?

Mrs. Ferguson explained that this was not a matter for the Planning Commission since it was dealing with the Subdivision Ordinance instead of the Zoning Ordinance.

Mr. Bosiger asked if the issue was the fact that the property to be divided was not on a State Maintained highway?

Mrs. Ferguson explained that was the issue exactly.

Mr. Carter stated that his understanding of the situation was that the owner subdivided the property without doing his homework and finding out what the ordinance had to say about this matter.

Mrs. Seay stated that was correct and that she did not catch the problem.

Mrs. Ferguson explained that the owner had been into the office to see if he could divide two acres from this parcel and was told that it would not meet the requirements of the subdivision ordinance.

Mr. Bosiger asked when the owner did this.

Mrs. Ferguson explained that she did not have the dates but it was prior to the owner dividing the property.

Mr. Carter stated that he understood the dilemma.

Mrs. Seay stated that the other thing that she would like to bring to the Board's attention was that she had been told that this property could not be divided into smaller lots because there was only one other site that would take a septic system. Mrs. Seay said that she would not be comfortable asking the Board for this exemption if this property could be divided into smaller lots.

Mr. Bosiger stated that he felt the original intent of the ordinance was to see that lots were served by State maintained highways.

Mr. Torrence asked if this road was a public right of way?

Mrs. Seay said that she thought it was a public thoroughfare.

Mrs. Ferguson explained that the Board had previously denied a similar request from another individual.

Mr. Carter stated that his concern was with setting a precedence for the future.

Mrs. Seay stated that she would agree with that but that this was not your typical subdivision. Mrs. Seay continued that there are other ways around the problem but this was the easiest way to solve the problem. Mrs. Seay stated that the owner felt that this was a way around the problem by recording the deed by metes and bounds instead of recording a plat with the deed. Mrs. Seay contended that the owner did not realize that he was doing anything wrong.

Mr. Torrence stated that he felt uncomfortable with making a decision on this issue at this time.

After further discussion and consensus of the Board it was agreed to research this matter and make a decision at a later date.

Mr. Bosiger thanked and excused Mrs. Seay and called for Supervisor concerns.

Mr. Carwile began that he would like for the Board to recognize Spout Spring Ruritan Club for their service to the community in some way. Mr. Carwile continued that the Board was aware of all the projects that the Ruritan Club funded in the community.

By consensus the Board asked Mrs. Ferguson to write a letter thanking the Spout Spring Ruritan Club for their contributions to the community.

Mr. Bosiger called for other Supervisor concerns.

Mr. Torrence began that he wished to provide a handout to the members of the Board concerning the proposed elementary school project. Mr. Torrence continued that he would like the Board to set a date for making a decision on which site would be chosen for the elementary school and give the approval to proceed with the project. Mr. Torrence stated that there was a time frame that needed to be met. Mr. Torrence continued that he would like to make a decision at this meeting but if the other members of the Board were more comfortable with waiting until the next meeting he would be in agreement with that decision.

Mr. Carwile stated that there was no question that a decision needed to be made on the new school but he felt that after hearing the comments from the public hearing the Board should wait until the next meeting for the committee to have time to look into the issues that have been raised.

Mr. Carter also stated that he felt the Board should wait until the next meeting to make a decision on this matter. Mr. Carter continued that this should give the committee an opportunity to meet and address the issues that were raised at the public hearing.

Mr. Torrence stated that he would like for the Board to agree to make a decision at the next meeting. Mr. Torrence continued that the Board was never going to please everyone.

A lengthy discussion followed. After discussion it was agreed that the Board would wait until the next meeting to make the decision on the elementary school in order to gather more information.

Mr. Carter then gave a report from the Appomattox Town Council meeting. Mr. Carter explained the Town drilled for water on the Central Virginia Electric Co-op site and were unsuccessful. Mr. Carter also stated that the Main Street Project was currently on hold and would not begin until sometime next year.

Mr. Bosiger then informed the other members of the Board that Marvin "Bo" House has agreed to serve on the Regional Renaissance Board of Directors representing Appomattox County.

Mr. Bosiger next explained that there were several supplemental appropriations that were necessary.

Mr. Carwile made a motion seconded by Mr. Torrence to approve a supplemental appropriation of $34,373.00 to pay Coleman-Adams the first payment on the baler building. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to approve the following supplemental appropriations for the FY1999 budget year:

$ 179.00 to 5310-3001
3.60 to 7301-5401
20.80 to 7301-5416
112.71 to 7301-5415
4237.85 to 2109-3009
140.53 to 3103-1003

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to approve the following supplemental appropriation for the FY2000 budget year:

$ 997.52 to 3107-7001

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger explained that there were several line item transfers to the FY1999 budget for approval.

Mr. Torrence made a motion seconded by Mr. Carwile to approve line item transfers as follows for budget year FY1999:

$645.00 from 3102-5505 to 3301-5402
86.10 from 1101-2005 to 7102-2005

. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented information from Craddock Cunningham Architectural Partners for Architectural and Engineering Costs associated with the proposed Courthouse renovation and addition and the proposed Sheriff's Department addition.

Discussion followed.

After discussion Mr. Carter made a motion seconded by Mr. Carwile to approve Craddock Cunningham's costs for architectural and engineering services for the Sheriff's Office addition of $18,000.00 through construction. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there several fund balances that were required by law to be carried over to FY2000.

Mr. Carter made a motion seconded by Mr. Torrence to carry the following fund balances over to FY2000:

Courthouse Maintenance Fund
Library Fund
Ballpark Fund
CSA Administrative Fund
Law Library Fund
Sports Complex Fund
And unspent Lottery funds for the Schools in the amount of $335,695.00.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that VML/VACO were beginning contract negotiations with Virginia Power on behalf of local governments. Mr. Bosiger continued that they were requesting $180.00 as the County's part of the negotiation expenses.

Mr. Torrence made a motion seconded by Mr. Carwile to pay $180.00 to VML/VACO as the County's part of negotiation expenses with Virginia Power. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a proposed leave sharing policy for County employees and explained that several employees had asked the Board to implement such a policy.

Discussion followed.

After discussion and by consensus of the Board Mrs. Ferguson was asked to see if the School Board had a policy for sharing leave and report back at the July 19, 1999 meeting.

Mr. Bosiger next explained that VHDA Tenant-Based Section 8 Rental Assistance Program was in the process of being restructured. Mr. Bosiger continued that from the information presented it appears that some of the administrative agents for the smaller

programs will be eliminated by July 2000. Mr. Bosiger asked the other members of the Board if they wished to wait to see what VHDA did prior to the County making changes in this program.

Mr. Bosiger also presented the new contract with VHDA for approval.

After discussion and by consensus of the Board all except from Mr. Carwile who abstained from discussion, it was agreed to wait to see what VHDA does with the program prior to the County making changes and to continue with the contract for another year.

Mr. Bosiger then asked the members of the Board if they would be interested in producing a quarterly newsletter for Appomattox County.

After discussion and by consensus of the Board it was agreed to proceed with a quarterly newsletter to the citizens informing them of the activities of the Board.

Mr. Bosiger next explained that at the last meeting Mrs. Ferguson had been asked to gather information concerning the rental payments made to other meal sites by CVAAA.

Mr. Bosiger presented this information to the Board.

Mr. Bosiger also explained that Mrs. Ferguson had gathered information pertaining to mowing of the grass at the Community Center and had found that there was no agreement in place for the Town of Appomattox to provide this service.

Mr. Bosiger then noted that an appointment was necessary from the Pamplin area to the Community Center Board.

Discussion followed.

After discussion and by consensus of the Board it was agreed that an appointment would be made at the July 19, 1999 meeting.

Mr. Bosiger then asked Mr. Carroll to go over the landfill report with the Board.

Mr. Moore joined the meeting.

Mr. Carroll reviewed the landfill inspection report from the May 11, 1999 inspection by DEQ. Mr. Carroll also gave a status report on the VPDES (storm/surface water) monitoring events and the Part "A" application review from DEQ.

After discussion and by consensus of the Board it was agreed that a trip to Richmond to go over the Part "A" application for the landfill would be in order. The trip has been scheduled for July 1, 1999 with any Board member who wished to attend to notify the County Administrator.

Mr. Carroll then asked for permission for two employees to attend the landfill certification class being taught at Virginia Beach the week of August 23, 1999. The approximate cost for each employees would be $900.00.

Mr. Torrence made a motion seconded by Mr. Carwile to approve for two employees to attend the landfill certification class at Virginia Beach at a cost of approximately $900.00 each. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there was some action necessary regarding the industrial access road for the industrial park. Mr. Bosiger noted that there were several resolutions and a sample letter of credit that needed to be approved and sent by Farmers Bank of Appomattox to VDOT.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

Board of Supervisors Letter of Credit Resolution

WHEREAS, the Appomattox County Board of Supervisors has determined that industrial development is an important element in the economic well being of Appomattox County, and

WHEREAS, the Board has instructed the Industrial Development Authority of Appomattox County, Virginia to develop an industrial park of 475 acres one quarter mile northwest of the Town of Appomattox, referred to as the Appomattox County Industrial Park, and

WHEREAS, to successfully develop the Appomattox County Industrial Park road improvements to Route 26 and an entrance road to the park are required, and

WHEREAS, the Virginia Department of Transportation provides funds for industrial access and the State Transportation Board has made an allocation of $350,000 for the purpose of funding the necessary road improvements to initially serve the park, subject to the location of a VDOT determined qualifying industry on lot 1 and/or 6 of the industrial park and an irrevocable letter of credit payable to VDOT is required.

THEREFOR, BE IT RESOLVED THAT, at a regular meeting held on June 28, 1999 at 7:00 P.M. in the Courthouse that the Appomattox County Board of Supervisors will hereby enter into agreement with the Farmer's Bank of Appomattox to provide an irrevocable letter of credit in the amount of $350,000 for the sum of $350, and authorizes Aileen T. Ferguson, County Administrator and Clerk to the Board, to sign said agreement on behalf of the Appomattox County Board of Supervisors.

BE IT FURTHER RESOLVED THAT, the Appomattox County Board of Supervisors agrees to the terms listed in the letter of credit agreement with Farmer's Bank of

Appomattox and will in effect borrow any sum drawn on the letter of credit by VDOT in accordance with the signed agreement of the Appomattox County Board of Supervisors and VDOT dated June 28, 1999.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to enter into the following agreement with VDOT:

THIS AGREEMENT made this 28 day of June, 1999, by and between the County of Appomattox, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the COUNTY, party of the first part, and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT, party of the second part; and

WHEREAS, the Commonwealth Transportation Board has, subject to certain contingencies, allocated an amount not to exceed $350, 000 from the Industrial, Airport, and Rail Access Fund to assist in providing access to the previously mentioned parcels, such being designated as project 0751-006-206,N501; and ,

WHEREAS, the COUNTY hereby acknowledges and agrees to the contingencies of the this allocation, as set forth in the April 15, 1999, resolution of the Commonwealth Transportation Board, which is made a part of this agreement by reference; and,

WHEREAS, the parties hereto mutually desire to contribute towards the construction of the access road; and,

WHEREAS, the COUNTY desires to participate in the development of project through its capabilities and/or those of its agent.

NOW, THEREFORE, witness that for and in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

A. The COUNTY will:
   1. Provide the necessary right of way and any required slope and /or drainage easements for this project at no cost to the DEPARTMENT.
   2. Prepare any required environmental documents and secure all necessary local, state, and federal permits required for the proposed construction at no cost to the DEPARTMENT.
   3. Cause any utilities in conflict with the construction of this project to be adjusted, including the cost of any installations and related engineering, at no cost to the DEPARTMENT.
   4. Provide preliminary engineering services in preparation of plans for Project 0751-006-206,N50, described as the construction of a new access road 0.08 mile in length from its intersection with Route 26 and the widening of Route 26 to provide turn lanes from both directions in to the Appomattox Industrial Park. Procurement of such services shall be pursuant to the Virginia Public

Procurement Act and other applicable statutes and regulations. Such preliminary engineering services shall be considered an eligible project cost. Project cost incurred or project services contracted prior to April 15, 1999 will not be considered eligible for reimbursement from the Industrial, Airport, and Rail Access Fund allocation.

5. Provide the DEPARTMENT with an appropriate bond or other acceptable surety device, not to exceed $350,000 and terminating on or after May 15, 2002. Such surety device shall provide for reimbursement to the DEPARTMENT of any expenses incurred by the Industrial, Airport, and Rail Access Fund in this project's construction not justified by eligible industrial capital outlay by eligible industry or industries served by the project as of April 15, 2002. Pursuant to contingency 2.e. of the Commonwealth Transportation Board's resolution of April 15, 1999, eligibility of the industry or industries, the amount of eligible industrial capital outlay, and the extent of the project's eligibility for industrial access funds shall be as determined by the DEPARTMENT. The basis for this determination shall be the application of the DEPARTMENT'S policy and its usual practices for administering the Industrial Access Fund, based on documentary evidence submitted by the COUNTY. Reimbursement to the DEPARTMENT, if required, shall be made prior to termination of the surety device, upon demand. This surety device may be released at an earlier date subject to the DEPARTMENT'S receipt of suitable documentation that the location and eligible capital outlay of qualified industrial development constructed or under contact along said projects warrants the industrial access funds expended on this project's construction.
6. Maintain accurate records of all project costs in a form satisfactory to the DEPARTMENT and make such records available for audit by the DEPARTMENT upon request.
7. Request reimbursement from the DEPARTMENT for the actual cost of the project's eligible items, to the extent herein provided, after the provision of the required surety and upon the presentation of appropriate certification and billing.
8. Provide the requisite $50,000 in matching funds, as set forth in the Commonwealth Transportation Board's resolution of April 15, 1999, from funds other than those administered by the DEPARTMENT.
9. Bear all eligible costs in excess of $350,000 and any ineligible costs.

B. The DEPARTMENT will:

1. Provide for project advertisement, contract administration, construction and maintenance of Project 0751-006-206,N501 as described above in paragraph A.4.
2. Authorize expenditure of the Industrial, Airport and Rail Access Fund allocation, in accordance with and subject to the limitations and contingencies of the Commonwealth Transportation Board's resolution of April 15, 1999, for the cost of the project's eligible items and related construction engineering activities.
3. Upon receipt of certification and billing by the COUNTY, reimburse the COUNTY for actual eligible costs incurred subsequent to the approval of the project's allocation by the Commonwealth Transportation Board. Such reimbursement shall be subject to the limitations prescribed by the

Commonwealth Transportation Board's resolution of April 15, 1999, and in no case shall the total reimbursement by the DEPARTMENT exceed $350,000.

4. Determine eligible capital outlay according to current policy and procedure.

Mr. Bosiger then explained that the Board had been looking into the possibility of combining several part time jobs into one and making a full time position. Mr. Bosiger continued that since the Board was going to allow VHDA to restructure prior to making any changes in the Rental Assistance Program that Mrs. Ferguson was asking permission to pursue the possibility of joining with another locality for a CSA Coordinator.

After discussion and by consensus of the Board it was agreed to coordinate with another locality to provide services for the CSA Program.

Mr. Bosiger next turned the other members of the Board's attention to the tourism report provided by Mr. Carroll. Mr. Bosiger explained that the SCV would like permission to hold the reenactment on the Recreational/IDA Facility next year.

Mr. Carroll explained that the IDA did not have a problem with this as long as the IDA was held harmless during this event.

By consensus of the Board it was agreed to allow the SCV to hold the reenactment on the recreation facility as long as the County is held harmless in the event of an accident.

Mr. Bosiger then presented several requests for permission to attend Convention /Education events.

Mr. Carter made a motion seconded by Mr. Moore to approve for two people to go with Regional Renaissance to Chattanooga and for the Board to pay their expenses. Also, the Board approved for Mr. Lawson to attend the Commonwealth's Attorney Seminar and pay his expenses. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Mr. Lawson was suggesting that the 83 acres that have been donated to the Athletic Complex be surveyed at an approximate cost of $3,000.00. Mr. Bosiger explained that the cost for the survey would be recouped when the property was sold.

After discussion Mr. Carter made a motion seconded by Mr. Moore to proceed with surveying the 83 acres donated to the Athletic Complex with the understanding that when the property is sold this expense will be deducted from the proceeds. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request for an appropriation from the Law Library Fund for the month of June 1999.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate $389.84 from the Law Library Fund for the month of June 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that an executive session was necessary to discuss a personnel and legal matter.

At 9:37 P.M. Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session to discuss a personnel and legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 9:55 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was action necessary from the executive session.

Mr. Torrence made a motion seconded by Mr. Moore to authorize the County Attorney to file a suit to condemn said property of .06 acres at a nominal price of $10,000.00 per acre for a total of $600.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Carter made a motion at 9:56 P.M. seconded by Mr. Moore to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, The Appomattox Town Council, and the Appomattox County Planning Commission was held on July 19, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox

Present (Town Council):
Ronnie Spiggle, Mayor
R. L. Bass, Vice Mayor
Joyce Bennett
Marvin Mitchell
Jimmy Mayberry
Lewis McDearmon

Absent (Town Council):
Steve Lawson

Present (Planning Commission):
Al Sears
Wayne Lewis
Marvin Mitchell
Calvin Tanner
Russell Moore
Elizabeth Edwards

Absent (Planning Commission):
Kevin O'Brien
Claude Allen Moore
Robert Johnson
Jim Sefter

Also Present:
Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney
Mr. Caldwell – Clerk to Planning Commission

Mr. Bosiger called the public hearing to order and stated that since he had a zoning petition to present he was going to turn the meeting over to the Vice Chairman for him to conduct.

Mr. Carter stated the procedure for addressing comments to the Board and then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition number 99-389 of Precision Bed Rail Manufacturing for a conditional use permit to operate a wood component manufacturing facility in existing building. Property is located on Business 460 between Prices Lane and Church Street and is zoned Industrial use M-1.

Mr. Carter called for comments on this petition.

Mr. Garet Bosiger came forward and gave his address as Route 1 Box 378, Appomattox, Virginia. Mr. Bosiger continued that he and his wife ran a woodworking business in Keysville, Virginia that makes wood components for the furniture industry. Mr. Bosiger stated that they have formed a partnership to locate a factory in Appomattox that would make bed rails. Mr. Bosiger continued that they hoped to employee from 50 to 100 people in the Appomattox plant. Mr. Bosiger said that he has presented his application for this type business to the Department of Environmental Quality and expected a favorable reply. Mr. Bosiger thanked the Board for their consideration.

Mr. Carter called for other comments.

Hearing none, Mr. Carter asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-390 of David W. Mills for a conditional use permit for home occupation (welding shop) in accessory building. Property is Tax Map #64B-2-40 located on Route 26 between Route 678 and Route 677. Property is zoned R-1.

Mr. Carter asked for comments on this petition.

Mr. David W. Mills came forward and gave his address as Route 4 Box 679, Appomattox, Virginia. Mr. Mills stated that he was just trying to get a conditional use permit to have a welding shop at his home. Mr. Mills continued that he had been doing welding for fourteen years and he was certified. Mr. Mills stated that he would like to be able to do this at his home and that if it got to be a big business he would move it elsewhere. Mr. Mills stated that as a homeowner he is presently doing this work at his home for his friends and neighbors.

Mr. Carter called for other comments.

Mr. Gehad Natour came forward and gave his address as Route 6 Box 660, Appomattox, Virginia. Mr. Natour began that he lives across the street from Mr. Mills and that Mr. Mills shop is right across from his livingroom. Mr. Natour explained that his main concern with this operation was the damaging bright light that was caused when Mr. Mills was welding. Mr. Natour stated that he has children and was very concerned with the damage that may be caused to their eyesight if this operation were allowed. Mr.

Natour continued that there was also noise pollution associated with welding and that he did not feel that this area was suited to a welding operation.

Mr. Carter called for other comments.

Hearing none, and being no further petitions, Mr. Carter declared the public hearing closed at 7:10 P.M.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on July 19, 1999 at 7:30 P.M. after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:30 P.M. and asked Mr. Moore to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the two public hearings of June 28, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of the bills for July 19, 1999.

Mr. Carter made a motion seconded by Mr. Torrence to approve the bills of July 19, 1999 for payment. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then turned the meeting over to Mr. Carter, Chairman of the School Site Committee.

Mr. Carter explained that the School Site Committee met on Tuesday July 6, 1999 after the public hearing held on June 28, 1999. Mr. Carter continued that the purpose of the

meeting was to conduct a more descriptive evaluation process of renovating the elementary school. Mr. Carter stated that at this time the architect and engineer were ready to convey to the Board the results of that committee meeting.

Mr. Blair Smith of Fauber Architects, Inc. began by giving a brief history of the project. Mr. Smith explained that in the beginning his firm had been commissioned to look into the renovation of and addition to the present elementary school. Mr. Smith explained that he would like to address some of the pro's and con's associated with the existing site. Mr. Smith provided a model of the existing school in order to help everyone visualize what Fauber had proposed for renovation and new construction. Mr. Smith provided construction dates for the various additions that had been put onto the original building and dates for the other repairs that had been done to the existing elementary school. Mr. Smith explained that some of the windows that have been replaced are presently leaking. Mr. Smith continued that the original portion of the school is a wood frame structure. Mr. Smith explained that this poses some problems when it comes to renovation. Mr. Smith then explained that the next portion of the building was a steel frame structure and that another portion was framed with concrete joists. Mr. Smith continued that one of the problems with the lot was that there was a very narrow strip of land in front of the school and most of the land was behind the school. Mr. Smith then presented the floor plan in the existing building. Mr. Smith continued that 68% of the classrooms do not meet the minimum size requirements of the State Department of Education. Mr. Smith stated that this was further complicated by trying to add computers in the classrooms. Mr. Smith explained that this school was designed as a high school and that high schools and elementary schools did not have the same space requirements. Mr. Smith explained some of the problems with trying to add on to this school. Mr. Smith stated that from an architectural standpoint the ideal thing would be to tear down everything from the gym towards 460 which is the older part of the school. Mr. Smith gave a brief explanation concerning operations and maintenance costs. Mr. Smith explained that there were also concerns with how do you renovate and educate at the same time. Mr. Smith then discussed the circulation patterns for school buses and parents dropping off and picking up children. Mr. Smith then asked Mr. Earl Dickerson with Hurt and Proffitt to give a brief rundown on the sites and related costs and problems.

Mr. Earl Dickerson began by explaining that Hurt and Proffitt had conducted a study of the site for the proposed renovation and that this presentation would be made in two parts. Mr. Dickerson noted that the actual costs for site improvements for renovation would be presented by Stewart Rayburn. Mr. Dickerson continued that he would follow up with issues that they feel are paramount as far as the design of a site dealing with safety.

Mr. Rayburn explained that they would provide several different options for the proposed renovation site. Mr. Rayburn continued that one of their mayor concerns was getting vehicular traffic off of business 460 because it was a very busy road. Mr. Rayburn continued that one way to accomplish this would be to put the front of the school in the back and have the vehicles come to the back. Mr. Rayburn provided two options for getting the vehicles to the back of the property and they are as follows:

1) Construct new road off of Jones Street and bring that through the woods parallel to the new sanitary sewer lines that are being constructed. Mr. Rayburn continued that this would lengthen the daily trip that every bus would have to take by almost two and one-half miles which would equate to about a $14,000.00 per year operating expense. Mr. Rayburn continued that there were significant costs associated with this proposal the first of which would be 800' of new road to construct. Mr. Rayburn stated that you would need to clear approximately 10 acres of woods and construct a road over an existing creek through the woods. Mr. Rayburn stated that the total site development cost for this scenario would be about $815,000.00. Mr. Rayburn continued that this would also entail upgrades around the building to create new parking for parents and teachers. Mr. Rayburn explained that the proposed three play fields would be quite a distance from the building in this scenario which would cause some safety issues with the children crossing the drives and parking areas.
2) The second option involved constructing a new road off of Jones Street but instead of following the sewer line the road would be constructed at the edge of the Fred Jones property and come up a little closer to 460 business. Mr. Rayburn explained that this would cut the total length of the road but would make circulation at the building a little more difficult. This scenario would require the purchase of more land which would make the cost $885,000.00.
3) The third option would be not to build a new road around the back but to get the vehicles there by making upgrades to Price Lane. Mr. Rayburn explained that Price Lane was very narrow and that the houses on the right side of Price Lane were very close to the road. Mr. Rayburn continued that if you were to upgrade this street causing the least amount of discomfort to the residents you would need to move the road over about twenty feet. Mr. Rayburn continued that this would require the demolition of the existing maintenance building and moving utilities also the total reconstruction of the intersection to accommodate bus traffic. Mr. Rayburn stated that the estimated cost for this scenario would be $750,000.00.

Mr. Dickerson then explained that in their study of the site they found that the circulation of traffic was very difficult on this site. Mr. Dickerson explained some of the things that would be necessary in order to create a safe and efficient traffic pattern for buses, teachers and parents. Mr. Dickerson continued that as a part of his study he researched the zoning that was surrounding the school. Mr. Dickerson explained that the school site sits in an R-2 zone. Directly behind the school is zoned M-1, Advance Auto was a B-1 zone, the Courtland Factory was an M-1 zone and all other zoning around this property was R-2. Mr. Dickerson also explained that there was a well site on the property that was operated by the Town of Appomattox. Mr. Dickerson explained that this well site was a 100' x 100' site that could not be disturbed. Mr. Dickerson continued that there was no flexibility on this site due to the land area and location of buildings.

Mr. Dickerson turned the presentation back over to Mr. Blair Smith.

Mr. Smith presented a new cost comparison of the Bryant site and the present site. (Cost comparison handout is filed in the elementary school folder). Mr. Smith then provided some suggestions of uses for the existing school building if a new school site were purchased.

Mr. Bosiger then called Dr. Krug, Superintendent of Schools to come forward and make his presentation to the Board.

Dr. Krug came forward and explained that his purpose for meeting with the Board was twofold. The first thing that he would like to discuss was the two options being presented, building a new school versus renovating the present school. Dr. Krug then explained the various education needs of the schools and how they related to new construction or renovation. (Handout is filed in the elementary school file).

Dr. Krug next gave a report on the present status of the primary, middle, elementary and high schools and the needs that we would have to meet in the next few years. (Handout on file in the elementary school file).

Mr. Bosiger thanked Dr. Krug and called on Mrs. Ora McCoy to appear before the Board.

Mrs. McCoy came forward and asked that Mr. Bosiger read letters to the Board from Mr. Franklin Vaughan and Mrs. Shirley Eye.

Mr. Bosiger read the following letters:

July 12, 1999

Attn: Mr. Garet Bosiger, Chairman
Appomattox County Board of Supervisors
P. O. Box 863
Appomattox, Virginia 24522

Dear Mr. Bosiger:

As a concerned citizen of Appomattox County, I would like to express to your Board a couple of concerns that I have. I had wanted to appear before the Board, but I will be out of town on vacation during your scheduled meeting on July 19th.

(1) I was very surprised and disappointed to learn that the Board elected not to fund the Office on Youth for the 1999-2000 year. I feel that this office is desperately needed and the Rev. Alfred Jones has done a splendid job in steering our "at risk" youth in the right direction. I feel that it is less expensive to fund this office if that office can keep one or two of our youth

from committing a serious crime resulting in incarceration, which over the long term would be more costly.

I would strongly encourage the Board to seriously reconsider your actions and complete the work plan, along with a letter of request and forward this to Richmond in order to receive the $40,000 grant for this office.

(2) The second concern that I have is with what plans there are for the present elementary school when the new elementary school is built. I do not think that we need that facility to set there vacant and become an eyesore for the Town and County. I would encourage you to appoint a blue ribbon committee made up of representatives of the Board of Supervisors, School Board and citizens to study possible uses and present options to be considered by the two Boards. Please keep in mind that this building has a significant and historical value to many Appomattox County citizens.

I would appreciate your consideration of both of these concerns at your July 19th meeting.

Sincerely,

J. Franklin Vaughan

July 8, 1999

Appomattox County Board of Supervisors
P. O. Box 863
Appomattox, VA 24522

RE: Director of Youth Services

Gentlemen:

It was with deep regret to learn that the position of Director of Youth Services had been abolished when the grant expired. As former principal of Appomattox County High School, I had had the opportunity to work with Al Jones as director. He was a member of the team on whom you could rely to make a difference with students and parents who needed direction, understanding, encouragement, and expectations. Whenever it was necessary to call Mr. Jones, he was expeditiously responsive and persistently followed up with the parents, student, and school administration.

The assistance provided to the community, the judicial and school systems, and to the individual student and his/her parents through the Director of Youth Services, and namely via Al Jones, is sorely needed in Appomattox County. Please reconsider your decision and fund this position to provide the guidance for which our at-risk students are yearning.

Most sincerely,

Shirley C. Eye

xc: Ora McCoy (Presenter)

Mrs. McCoy began by saying that she had several issues of major concern to her that she would like to express to the members of the Board. Mrs. McCoy continued that in this community we had employed a Director of Youth Services to lead activities specifically geared toward at risk young people. Mrs. McCoy stated that she felt that this position was very important to the citizens of the County and encouraged the Board to seek funding for this position. Mrs. McCoy also stated that she was concerned with building a new elementary school instead of renovating the present building. Mrs. McCoy said in closing that she had two suggestions for the Board, 1) remodel and add on to the present elementary school and 2) reinstate the position of the Director of Youth Services and save money by using preventive measures.

Mr. Bosiger thanked Mrs. McCoy and called Mrs. Veronica Reed to appear before the Board.

Mrs. Reed came forward and explained that she was a concerned parent and citizen of Appomattox County. Mrs. Reed continued that some of the questions that she had on the elementary school had been answered with the presentation. Mrs. Reed stated that she feels the school should be renovated because "the school is a heritage for all of us". Mrs. Reed said that she felt air conditioning should not be the ultimate concern in making this decision, education should be the major concern. Mrs. Reed expressed some of her concerns with the proposed location for the new school. In closing Mrs. Reed said that she did not want a new school.

Mr. Bosiger thanked and excused Mrs. Reed and called on Mrs. Nina Beasley to appear before the Board.

Mrs. Beasley began by saying that she was speaking on behalf of many citizens and property owners of Appomattox County. Mrs. Beasley presented petitions from landowners opposed to the new school being built on Route 691. (Petitions on file in the elementary school file folder). Mrs. Beasley explained that in her previous comments to the Board she had stated that she had no objections to a new school that she was only opposed to the location. Mrs. Beasley continued that since contacting people to sign her petition she found that the majority of them were opposed to building a new school. Mrs. Beasley stated that she felt the Board should listen to the people. Mrs. Beasley continued that she urged the Board to strongly consider renovation. Mrs. Beasley felt that a new school would only be a tax burden to the citizens of the County.

Mr. Bosiger thanked and excused Mrs. Beasley and called on Mrs. Rowena Robinson of the Carver Price Alumni Association to appear before the Board.

Mrs. Robinson began that she represented the Carver Price Alumni. Mrs. Robinson provided a brief history of the Carver Price High School. Mrs. Robinson also explained Mrs. Mozella Prices' position in the history of the Carver Price High School. Mrs. Robinson urged the Board to let Mrs. Prices' legacy remain by renovating Carver Price High School. Mrs. Robinson explained that the old Carver Price High School also had national importance as one of the few pre integration black schools still being used as a teaching facility. Mrs. Robinson stated that AES was being considered as a National Civil Rights Historical site. Mrs. Robinson reminded the Board that in a new facility you would have less space than in a renovated facility. In closing Mrs. Robinson stated "we demand our heritage be preserved".

Mr. Bosiger thanked and excused Mrs. Robinson and called on Mrs. Bonnie Tilliotson to appear before the Board.

Mrs. Tillotson came forward and stated that she would like to bring up a few items and she would not rehash things that have already been said. Mrs. Tillotson stated that the projected cost that had been displayed on the screen there was a land value of $192,000.00 in the renovation cost. Mrs. Tillotson stated that she was curious as to what that cost covers.

Mr. Blair Smith stated that that was 11 additional acres that would need to be purchased.

Mrs. Tillotson stated that a cost was included in the renovation for land development but not in the Bryant site projection. Mrs. Tillotson stated that those cost should be included. Mrs. Tillotson did not agree with the additional cost for transportation. Mrs. Tillotson stated that if you were going to renovate the school for other uses, why not just renovate the school to use as a school? Mrs. Tillotson stated that one thing that was never addressed was the fact that VDOT would not widen Route 691. Mrs. Tillotson questioned how emergency vehicles would pass through this congested area when school was taking in and letting out. In closing Mrs. Tillotson stated that we were building a new school and already talking about renovating it and she felt that this should be questioned prior to a decision being made.

Mr. Bosiger thanked and excused Mrs. Tillotson and called Mr. Bill Burke to appear before the Board.

Mr. Burke began that he was here as a concerned citizen and a business owner who joined the present elementary school property. Mr. Burke stated that he had a real problem with going through community's where schools have been abandoned and left to deteriorate. Mr. Burke continued that he took great pride in his business and did not want an abandoned building across from his business. Mr. Burke said that he could not see why the elementary school renovation would cost so much more than the middle school. In closing, Mr. Burke urged the members of the Board to use common sense in making their decision.

Mr. Bosiger thanked and excused Mr. Burke and called on Mr. Jimmy Drinkard to appear before the Board.

Mr. Drinkard began by saying that Frank Smith was a member of the Board of Supervisors representing Stonewall District a long time ago. Mr. Drinkard said that when there was a major issue before the Board Mr. Smith would have a meeting at Stonewall School and discussed the issue with his people. Mr. Drinkard continued that Mr. Smith would vote the way his people wanted him to. Mr. Drinkard stated that that was the way Supervisor's should do. Mr. Drinkard stated that the Supervisor's were elected to represent the people. Mr. Drinkard continued that number one he felt the people of Appomattox County should know how much money we already owe. Mr. Drinkard continued that this should be in the paper. Mr. Drinkard continued how much the Board had obligated the citizens to spend on projects not started or completed. Mr. Drinkard stated that before the Board voted on another project these figures should be published in the paper. Mr. Drinkard asked that the correct figures be published in the paper what it would cost to renovate Carver Price High School for a elementary school, how much it would cost to build a school on the Bryant Land and what would you do with Carver Price. Mr. Drinkard stated he would like to know what it would cost to build a school on the Courtland land. Mr. Drinkard continued that you would not have to buy the whole parcel of property. In closing Mr. Drinkard asked how much was this going to increase the citizens taxes?

Mr. Bosiger thanked and excused Mr. Drinkard and called on Mr. Lloyd Cobb to appear before the Board.

Mr. Cobb came forward and stated that he was speaking on behalf of a number of citizens. Mr. Cobb continued that he had been offended by comments from Mr. Blair Smith concerning the value of the old Carver Price High School. Mr. Cobb made some comments on the County population increases. Mr. Cobb questioned the fact that the newly renovated Middle School already was over crowded. Mr. Cobb provided the Board with information concerning drop out rates over the past years. Mr. Cobb continued that if we had extra money to spend we needed to work on the drop out rate in order to prevent crime. Mr. Cobb stated that he felt we need to focus on the community not on a new school. Mr. Cobb stated that he had no problem with a new school but he encouraged the Board to make sure that what they were doing was being done correctly. Mr. Cobb continued that if the Middle School was already overcrowded and it was only renovated two years ago, then were we going to have the same problem with a new elementary school. Mr. Cobb in closing asked the Board to take another look at how to benefit the community as a whole, go back to the drawing board and remodel the present elementary school.

Mr. Bosiger thanked and excused Mr. Cobb.

Mr. Bosiger stated that Dr. Betty Siano was unable to attend the meeting and had asked Mr. Carwile to read a letter on her behalf.

Mr. Carwile read the following letter:

July 19, 1999

Board of Supervisors
Appomattox County
Appomattox, Virginia

Gentlemen:

Children are the business of education, and education is the business of "LIFE". It is and should be, the most important business in this Country.

It is my understanding that you are meeting tonight to decide whether to purchase land on Route 691 and erect a "NEW" school at a Cost of $10.8 Million Dollars; or whether to preserve, renovate and build additional classrooms onto the Elementary School, located on Route 460. A school that holds many treasurer memories for our Black Community; a school that became one of the true Symbols of Americas diversity, where all children learned together regardless of Race, Color, Religious Belief – a living piece of APPOMATTOX history.

A drive past the property, being considered by the Board of Education, on Route 691, doesn't require much imagination to envision a 10.8 Million Dollar complex. One can easily conjure a beautiful building, sweeping lawns, curved driveways and parking areas lined with buses and cars.

But, I say to you, it is not the "exterior" of the building, the beauty of the locale, or the curving driveways that are as IMPORTANT as "what happens on the inside of the school building – the "Classroom" it's environment, and the "TEACHER" ARE the TRUE MATERIALS OF LEARNING and these determine how well children learn. And I might add, the Elementary School has produced many outstanding students despite crowded classrooms, lack of Air-Conditioning and some Electrical Outlets.

The fact is, that "School" provide the place for learning – It adds nothing to a childs' STATURE.

Impatience is a National Characteristic—And "Do it Now, if not Sooner" could well be our Nations' Motto. This attitude results in:

1. A poor approach to Problem Solving
2. Costly Mistakes
3. Mistrust of Public Officials by citizenry.

"Hasten Slowly" wrote Suetonious in 175A.D.

It will be a Great Tragedy if you gentlemen "Act in Haste". I have not seen any evidence of Traffic Flow Charts, A Needs Assessment, or any "IN DEPTH" study. Decision on a

matter of spending 10.8 millions of dollars should have nuch more than some "ORAL EXPRESSIONS", of the need. There should be a dirth of materials, easily accessible by every member of the community to illustrate the HOW and Why of decisions made. I have learned of no Surveys, No Fact Finding Explorations by Parents, Teachers, Students, Parent Organizations or Taxpayers. These are the materials that give substance to the "TRUE WILL OF THE PEOPLE". A school is Community Property. Taxpayers need to have in-put.

I despair when I think that people can be easily mislead by the "OPINIONS" OF and Architect or Engineering Firm. How many "FIRMS" have given us an estimate on the cost of Building or Renovating? Renovation as costly as new Building? Renovation not Feasible? RIDICULOUS! SEWER AND WATER LINES CAN BE UPGRADED. They are already in place. There is no need to widen Roads, Electrical Utilities can be Upgraded, Air-Conditioning installed, Additional Rooms can be added where needed. Partions can be removed to make some rooms larger, AND we already own the land except for 7(SEVEN) Acres to meet State Requirements. This all indicates a much less expensive project than the building of a New Building, the acquisition of land on 691 and the cost of FILLING-IN much of that property, which if not allowed at least a year to settle properly will lead to later problems in the Construction. As to Renovating the Elementary School I would ask you gentlemen, would you tear down your house and build a new structure or Renovate? And I would remind you that you did just Renovate the "MIDDLE SCHOOL" which is OLDER THAN the ELEMENTARY.

The County Board of Supervisors has more than a plateful of projects for the Taxpayers to digest at this time:

1. New Cell for the Landfill
2. Water & Sewer for the Industrial Park
3. New or Renovated Courthouse
4. Sports Complex
5. Pay off Middle School Indebtedness
6. New or Renovated Elementary School

I would suggest that in the 10 years I have lived in Appomattox, I have noted that there seems to be no "LONG-RANGE' Plan for the County. A Five Year Plan. I am bewildered by the immediacy of Solutions for every problem. I can only conclude that we are a very wealthy County or our County is living in a "PLASTIC" world of CREDIT. That is a very dangerous place to live and can lead to BANKRUPTCY. There is no "EASY MONEY" to be had anywhere, only hard lessons to be learned.
Thank you Gentlemen for your attention to this correspondence. Ill health prevents me from Speaking to the issue.

I would remind you Gentlemen that Architects and Engineers can build or "Renovate" any structure to meet the needs of those employing them. That is their BUSINESS!

Very truly yours,

Dr. Betty W. Siano
(Mrs. James)

Mr. Bosiger next called for Supervisor Concerns.

Mr. Carwile began by saying that he was very concerned with the $1800.00 change order for the baler building. Mr. Carwile asked if Mrs. Ferguson had received an answer to why this change order was necessary.

Mrs. Ferguson explained that she had not.

Mr. Carwile asked that Mrs. Ferguson continue to try to get an answer to this question.

Mr. Carwile then addressed the other members of the Board concerning Mr. Charles Bub's variance request. Mr. Carwile stated that he had a problem with one individual telling you what you can do on your land. Mr. Carwile gave several examples of instances where you could come right up to your property line with fences, etc. Mr. Carwile continued that he had a problem with zoning when it comes home. Mr. Carwile continued that he did not have a problem with the Planning Commission or the Board of Zoning Appeals but he did have a problem when zoning comes home in a situation like this that will impact a person that he cannot do something on his own land. Mr. Carwile stated that he felt that it was up to the Board to be more responsive to look into something to see what could be done to alleviate this hardship for people down the road.

Mr. Moore stated that the decision was made by following the code. Mr. Moore continued that there was also a neighbor that was complaining about this request. Mr. Moore stated that there had been some variances approved for side yard setbacks but none as close to the property line as this one. Mr. Moore also stated that the individual making the request did not attend the hearing therefore they received no input from him concerning his petition.

Mr. Bosiger called for other Supervisor Concerns.

Mr. Torrence began by stating that there were a lot of guests at this meeting that were interested in the decision on the elementary school project and he would like to address that at this time. Mr. Torrence explained that he and Mr. Cobb had just been through two years of renovation at Prince Edward and they knew what it was like to try to teach during this process. Mr. Torrence explained that the Board had a tough decision and he would like to make some points concerning the proposal. Mr. Torrence stated that after much discussion on the issues he felt that people were not considering what was best for the children. Mr. Torrence continued that if we really look at this issue as what is best for the children he feels it will be a little clearer as to what is right. Mr. Torrence stated that we have an opportunity with delay because if a decision is not made and the project is delayed by another year it will cost the taxpayer a half a million dollars. Mr. Torrence continued that this half a million dollars could be used to renovate Carver Price School

for a better use. Mr. Torrence stated that the committee may not have done a perfect job but he feels the job was thorough. Mr. Torrence continued that he did not feel that anyone was considering what was best for the children. Mr. Torrence asked, "what is the safest site?" Mr. Torrence continued that he would worry about his grandaughter being in a facility that you could not control who walked in off the street. Mr. Torrence continued that as far as the location for the proposed new school they had studied 13 sites and this one was chosen as the best. Mr. Torrence stated that the figures show that we can build a new school cheaper than we can renovate the old one. Mr. Torrence stated that there was nothing to prevent Carver Price from being renovated for something honorable and something we could be proud of. Mr. Torrence then provided financial information for the County. Mr. Torrence continued that he had a proposal to offer as follows: 1) Build a new school; 2) Make a decision to purchase the site from Bryant; 3) Set up a committee of 10 members to study the best use of the present site; 4) Assure citizens that Carver Price will not be torn down. Mr. Torrence concluded by saying that the bottom line was that he did not feel that everyone was thinking about the children.

Mr. Bosiger asked if any other member of the Board wished to comment.

Mr. Carwile stated that he welcomed the opportunity to respond to Mr. Torrence. He continued that he had sat patiently and listened to Mr. Torrence's comments. Mr. Carwile stated that earlier in the day some of the speakers had taken his thunder from him so he would be brief. Mr. Carwile stated that there are so many concerns that have come up since the public hearing. Mr. Carwile continued that the comments were not negative about buying the land but were deep concerns with doing the right thing. Mr. Carwile questioned, what is the right thing? Mr. Carwile continued that the right thing to him from what he has heard is let's not let haste make waste. Since the Board has not determined the fate of Carver Price High School Mr. Carwile did not feel that the Board should buy land at this time. Mr. Carwile stated that with that said he was not saying not to buy the land, he was not saying to build new, he was not saying to do the renovation, he was only saying that the Board needs time. Mr. Carwile says that with time he felt the Board should look into the concerns that had been expressed at this meeting. Mr. Carwile stated that after saying this he did not feel comfortable with entertaining a vote on this issue tonight. In closing Mr. Carwile stated that he was for what was the best for the children.

Mr. Bosiger called for other comments.

Mr. Carter began that there was not much left to be said that other members have not already said. Mr. Carter continued that he appreciated the comments of the other members of the Board, however, this was a very crucial decision and that he felt the Board needed to take action in some way, shape or form. Mr. Carter stated that the citizens that he had spoken with were divided in their opinions on this issue. Mr. Carter continued that considering the input that had been received from the professionals that were hired that looking at the figures, considering the children and saving the heritage of the historical aspects of this project. Mr. Carter continued that if the vote on this issue were taken tonight he would vote for a new school.

Mr. Bosiger called on Mr. Moore for comments.

Mr. Moore began that he had been looking at this issue for a long time. Mr. Moore stated that one of the things that bothered him was what would be done with the existing facility if a new facility was constructed on a new site. Mr. Moore continued that he was not satisfied with the figure for renovation that was presented to the Board. Mr. Moore stated that he had worked with the figures and could find no real problem. Mr. Moore stated that he understood the desires of the people who were present at the meeting and he knew that they would like to renovate the present building. Mr. Moore stated that he would also like to renovate but he would like to renovate to save money. Mr. Moore continued that if a new facility were built that was not the total figure because what were we going to do with the existing school building. Mr. Moore in closing stated that he still had a lot of questions concerning this project.

Mr. Bosiger began by saying that he would like to speak as the representative of the Falling River District and not as the Chairman of the Board. Mr. Bosiger continued that he wished he had the wisdom of King Solomon because he had been wrestling with this issue for some time and still did not know what was the right choice. Mr. Bosiger stated that he was concerned with the heritage aspects involved with this decision. Mr. Bosiger stated that he did not want to be accused of having a closed mind to anyone. Mr. Bosiger continued that he wanted to do what was right for the children of the County. Mr. Bosiger stated that he was hoping to have a financial forecast from Robinson Farmer Cox that would help the Board see more clearly the direction of the debt service. Mr. Bosiger stated that this Board had been forced to make some very difficult decisions and he felt he would like a little more time to review the information that was provided before making a final decision on this issue. Mr. Bosiger stated that he was not prepared to vote on this issue tonight.

Mr. Torrence stated that tonight was drop-dead time. Mr. Torrence continued that a delay would cost the taxpayers another $500,000.00. Mr. Torrence stated that his major concern was putting the children through a third year in a facility that we would not be allowed to put the dogs in the dog pound in. Mr. Torrence stated that there was a decision to be made and he felt that it had been studied enough. Mr. Torrence stated that he was going to make a motion concerning this matter. Mr. Torrence then made a motion that the Board of Supervisors build a new elementary. Mr. Carter seconded the motion.

Mr. Bosiger called for discussion.

Mr. Carwile stated that he wanted to clarify Mr. Torrence's motion. He asked if Mr. Torrence was speaking of the purchase of the land only, not the issue of building a new school? Mr. Carwile stated that hearing Mr. Torrence tonight, and what he was hearing was that a true democracy that they were representatives of the people and representing them by voice and representing their input. Mr. Carwile stated that he said before and he would say again that he was not comfortable to vote on this issue now but if he had to vote he would have to vote with what the people were saying because in a true

democracy that we represent the people. Mr. Carwile stated that his point was this, and be well taken, neither was he negative or positive on the issue at this point. Mr. Carwile continued that what he wanted to hear was a committee reporting back to the Board on the fate that the present school before the vote was taken.

Mr. Bosiger called for other discussion.

Mr. Torrence stated that he appreciated what Mr. Carwile was saying but that was not going to be done tonight and if the Board waited for that to happen it was going to cause us to wait another year with the children staying in that building. Mr. Torrence encouraged the other members of the Board to do what was best for the children. Mr. Torrence asked the members of the Board to make a decision that no one wanted to make but that needed to be made.

Mr. Carwile stated that he had heard Mr. Torrence repeatedly use the figure one half a million dollars loss over twelve months. Mr. Carwile asked how could there be inflation of that degree when employment was as high as it is? Mr. Carwile continued that the federal reserve was making adjustments to keep inflation stabilized and that he could not accept that inflation figure.

Mr. Torrence stated that the one half a million dollar cost came from Blair which included construction costs going up 3 to 5% every year that the Board delayed. Mr. Torrence continued that the high school twenty five years ago was 2.7 million and eight years later we paid 3.7 million for that same facility. Mr. Torrence stated that it was the increase in cost not inflation.

Mr. Bosiger called for other discussion.

Mr. Moore addressed Mr. Torrence and stated that he was speaking of the fact that the Board would delay for a year not a few weeks. Mr. Moore stated that he was not prepared to make a decision tonight.

Mr. Torrence stated that an excellent group of people spoke at this meeting and that at the next meeting we would have an equally excellent group of people speak and the decision that had to be made would be the same. Mr. Torrence continued that two weeks was not going to make any difference the same decision was going to have to be made.

Mr. Carwile asked Mr. Torrence if he was ready to vote for a new school regardless of what the people have had to say?

Mr. Bosiger called for order.

Mr. Bosiger called for a vote.

Vote: Mr. Carter and Mr. Torrence, aye; Mr. Carwile, Mr. Moore and Mr. Bosiger, nay.

Mr. Bosiger then stated that due to the lateness of the hour he would suggest the Board adjourn to another night to finish the matters on the agenda.

Mr. Moore made a motion to recess until July 21, 1999 at 7:00 P.M. in the Courthouse. Mr. Carter seconded the motion. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A recessed meeting of the Appomattox County Board of Supervisors was held on July 21, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

Mr. Bosiger reconvened the meeting and called on Mr. Moore to deliver the invocation.

Mr. Bosiger then asked the Board to consider action on the Planning Commission recommendations from the public hearings of June 28, 1999 and July 19, 1999.

Mr. Torrence made a motion seconded by Mr. Carwile to accept the Planning Commission recommendation and approve petition number 99-381 of Tammy F. Franklin Chandler for a conditional use permit to allow mobile home in Village District. Property is Tax Map No. 41-(A)-46 located on Route 616 between Route 655 and Route 24. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to accept the Planning Commission recommendation and approve petition number 99-382 of Obie Fred Chandler and Timothy S. Chandler to rezone property from R-1 to A-1. Property is Tax Map Nos. 41-5-3 and 41-5-2 and is located on Route 697 between Route 24 and Route 24. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Moore to accept the Planning Commission recommendation and approve petition number 99-386 of K. Wayne Spradlin for a conditional use permit to allow addition to existing repair garage. Property is Tax Map

No. 73-A-10, located on Route 460 between Route 667 and Route 648. Property is conditional zoned B-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carter to accept the Planning Commission recommendation and approve petition number 99-388 of Friendship Baptist Church for a conditional use permit to add sanctuary to existing church. Property is Tax Map No. 76-4-1 and is located on Route 727 between Route 1065 and Route 642. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carter to accept the Planning Commission recommendation and approve petition number 99-390 of David W. Mills for a conditional use permit for home occupation (welding shop) in accessory building. Property is Tax Map #64B-2-40, located on Route 26 between Route 678 and Route 677. Property is zoned R-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence stated that he was not clear on what happened with Charles and Dorothy Bub's request and asked Mrs. Ferguson if she could give an explanation of the action that was taken.

Mrs. Ferguson provided information concerning the procedure for dealing with a variance request.

Mr. Torrence stated that he is sitting on a commercial lot and he felt that this was a unique situation.

Mrs. Ferguson stated that Mr. Bub's lot was presently zoned V-1.

Mr. Torrence questioned if there was any recourse on the part of the part to try to help Mr. Bub?

Mrs. Ferguson explained that the only recourse for Mr. Bub was to go before the Circuit Court Judge.

Mr. Carwile asked that Mrs. Ferguson check the ordinance to see if Mr. Bub requested a rezoning to B-1 would this help his situation?

Mr. Bosiger then asked the Board if they were prepared to act on Mrs. Vivian Seay's request for a special exception to the subdivision ordinance for the lot located on Tower Hill Road?

Mr. Bosiger then explained that enclosed in the Board Book was a letter from Mr. Caldwell explaining the events as they occurred with this property.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to deny the request for a special exception to the subdivision ordinance for Vivian Seay (C. B. Bryant property located on Tower Hill) and abide by our existing ordinance. Vote: Mr. Bosiger, Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Robinson Farmer Cox was not ready to present the five year financial forecast at this time but would be ready by July 22, 1999.

Mr. Bosiger then asked the other members of the Board to turn their attention to the landfill report. Mr. Carroll reported on a meeting that he attended concerning with the fate of 1205 landfills.

After a lengthy discussion, by consensus of the Board, it was agreed to invite Senator Holland and Delegate Abbitt to a Board meeting to discuss our concerns with legislation concerning 1205 landfills.

Mr. Bosiger next told the Board that the Upper Appomattox Watershed Project had been successfully implemented and action is required by the Board to close out this project.

Mr. Carter made a motion seconded by Mr. Moore to close out the Upper Appomattox Watershed Project since it has been successfully implemented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented supplemental appropriation requests from various departments.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate the following funds from the I.D.A. bond:

$40,000.00 to the Appomattox County Rescue Squad Building Fund
$10,000.00 to the Concord Rescue Squad on their crash truck
$10,000.00 to the Concord Fire Department Building Fund

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked the Board to appropriate funds for the Court Security and Resource Officer positions at the Sheriff's Department.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate the following funds for the two court security positions at the Sheriff's Department:

$44,466.00 to 3102-1001
3,402.00 to 3102-2001
6,212.00 to 3102-2002
4,300.00 to 3102-2005
25.00 to 3102-2009

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate the following funds for the two Resource Officer positions at the Schools:

$50,937.93 to 3104-1001
3,589.72 to 3104-2001
6,555.35 to 3104-2002
4,300.00 to 3104-2005
25.00 to 3104-2009

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a bill for services provided by Fauber Architects for services provided in connection with elementary school site selection.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $10,459.14 to pay professional fees to Fauber Architects for services preformed in connection with elementary school site selection. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate $38,010.00 to install methane vents at the landfill; $1358.00 to pay for relocation of fuel tanks at the landfill and $2150.00 to pay for repairs to the baler. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Moore to appropriate $230.00 to the Electoral Board for installation of computers and printers. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate $363.00 to the Registrar's budget due to a primary election that was not in the FY2000 budget. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Moore to appropriate $959.99 to the Sheriff's budget to pay for a surveillance camera that was destroyed. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate the following:

$10.00 to 3501-5401
58.20 to 7301-5411

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate $335,695.00 to the schools budget for FY1999 lottery funds that must be carried over to FY2000 and $100,000.00 from the Textbook Fund for the month of July 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate $30,452.00 for payment number 2 on the baler facility and $3,600.00 for the survey of cell "I". Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to transfer $179,161.45 from the Special Project account in the school budget to the School CIP account. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that a request had been made by Amazement Square for a donation to help them match a grant that they have received.

After discussion, no donation was made.

Mr. Bosiger then explained that several appointments were necessary to various committees.

An appointment was necessary to the Regional Renaissance Steering Committee to replace Mr. Mundy.

After discussion, and by consensus of the Board it was agreed to hold this appointment until the August 2, 1999 meeting.

Mr. Carter made a motion seconded by Mr. Torrence to appoint Mr. Marvin Hamlett to the Community Center Board for a term to expire February 2003. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that Central Virginia Area Agency on Aging Advisory Council and Board of Directors needed appointments from Appomattox County.

After discussion it was agreed to make these appointments at the August 2, 1999 meeting.

Mr. Bosiger then explained that the Board members had been invited to ride in the Railroad Festival Parade again this year and asked if everyone planned to participate.

Mr. Bosiger, Mr. Carter, Mr. Moore and Mr. Torrence stated that they would walk again this year and Mr. Carwile would need a ride.

Mr. Bosiger then presented a request from VPI&SU to change their long distance carrier.

After discussion, Mr. Carter stated that he would look into this and report back to the Board.

Mr. Bosiger next presented convention/education requests from the Commissioner of Revenue and the Registrar.

Mr. Torrence made a motion seconded by Mr. Moore to approve for Mr. Mays, Commissioner of Revenue to attend several conferences. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Carter to approve for the Registrar to attend a training session in Roanoke at an approximate cost of $250.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a copy of the schools Shared Sick Leave Policy for Board review and discussion.

After discussion and by consensus of the Board it was agreed to hold this matter for action until the next meeting.

Mr. Bosiger then explained that a request had been made to use the Community Center Basketball Court for a tournament the weekend of August 6th and 7th.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to deny the request for the use of the basketball court at the Community Center due to the fact that the facility was not designed for this type use. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented the performance contract for FY2000 for Central Virginia Community Services.

Mr. Moore made a motion seconded by Mr. Carter to approve the Central Virginia Community Services Performance Contract for FY2000. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for other business.

Hearing none, Mr. Bosiger called for a motion to adjourn.

At 9:30 P.M. Mr. Carter made a motion seconded by Mr. Moore to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on August 2, 1999 at 7:00 P.M. in the Appomattox Elementary School Auditorium, Confederate Blvd., Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and called on Mr. Carter to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carwile stated that on page 6 of the June 28, 1999 meeting, the second paragraph should read, "...by consensus of the Board, except Mr. Carwile..."

Mr. Bosiger asked Mrs. Ferguson to note the correction.

Mr. Bosiger called for other additions or corrections to the minutes.

Being no further corrections, Mr. Carter made a motion seconded by Mr. Torrence to approve the minutes of June 28, 1999 regular meeting as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of the bills.

Mr. Torrence made a motion seconded by Mr. Moore to approve the bills dated June 28, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Elizabeth Gilliam to appear before the Board.

Ms. Elizabeth Gilliam came forward and gave her address as P. O. Box 127, Concord, Virginia. Ms. Gilliam explained that she has been a teacher in Appomattox County for twenty-eight years, twenty-four of which have been at the elementary school. Ms. Gilliam continued that she was not in support of any particular site but she did support a new school on a new site. Ms. Gilliam stated that she did feel that the present Carver-Price site should be honored and protected however, Ms. Gilliam did not feel that the

present site was still suitable for an elementary school. Ms. Gilliam continued by explaining her reasons for wanting a new school on a different site. Ms. Gilliam also presented ideas for the use of the present facility.

Mr. Bosiger then called on Ms. Joanne Matthews to appear before the Board.

Ms. Matthews was not present therefore Mr. Bosiger called on Ms. Nancy Williams to appear before the Board.

Ms. Nancy Williams came forward and gave her address and Route 4 Box 264, Appomattox, Virginia. Ms. Williams stated that she is one of many teachers who teach at the elementary school. Ms. Williams continued that the staff at A.E.S. was focused on seeing the children succeed and asked the Board to give them a school that would help them succeed. Ms. Williams was not in favor of renovation due to the effect the disruption will have on the children. Ms. Williams asked the Board to invest in education now and give the school the building that they need.

Mr. Bosiger then called on Mrs. Renee Martin to appear before the Board.

Mrs. Martin began by stating her address as Route 1 Box 2993, Spout Spring, Virginia. Mrs. Martin continued that she would like to talk about the history of discussion concerning the elementary school facility. Mrs. Martin continued that approximately six years ago discussion was begun with the School Board about the elementary school. Mrs. Martin stated that she had listened to an audio transcript of a meeting held three years ago on October 2, 1996 between the Board of Supervisors and the School Board about construction versus renovation of the elementary school. Mrs. Martin continued that Mr. Carwile was quoted as saying "Never, Never would he consider renovation over new construction with the numbers this close." Mrs. Martin continued that Mr. Carwile also said, "that the bucks would be spent more wisely in new construction". Mrs. Martin stated that now less than three years later Mr. Carwile was questioning the numbers that independent architects and engineers have given. Mrs. Martin continued by listing numerous reasons that renovation was not ideal. Mrs. Martin then gave three reasons why she felt a new building was best, 1) Cost! The numbers show that new construction will cost less initially and in the long term. 2) Location! A new building would give fewer traffic issues. The school would no longer be subject to foot traffic in the schools by people who do not belong there. 3) Historic Preservation! If a new school were built the present building could be useful to the community. Mrs. Martin stated that the building could remain a symbol to future generations. Mrs. Martin suggested that Mrs. Price's name could be used on the building once again. Mrs. Martin asked the Board to not let their decision be political.

Mr. Bosiger next called on Rev. Curtis Elliott to appear before the Board.

Rev. Elliott came forward and stated that he was the pastor of three churches in Appomattox County, Mt. Zion, Jordan, and Canaan Baptist Church. Rev. Elliott stated that serving as pastor of four churches gave him the rare opportunity to come in contact

with many citizens of all economic backgrounds. Rev. Elliott continued that he felt that he had no choice but to speak out for his people. Rev. Elliott stated that considering the history of the school he was not willing to see the school changed to offices or anything other than a school. Rev. Elliott continued that he was concerned for his people that are on fixed incomes and could not see how they could afford more taxes. In closing Rev. Elliott stated that he prayed that God would guide the Board in the right direction to make the decision that would benefit the majority of tax payers in Appomattox County.

Mr. Bosiger then called on Mrs. Ora McCoy to come before the Board.

Mrs. McCoy gave her address as Route 4 Box 454, Appomattox, Virginia. Mrs. McCoy began by saying that taxation without representation has always rallied Americans to take action from the time of our founding fathers until today. Mrs. McCoy stated that the recent decision made by the Board of Supervisors to build a new school without input from the community has caused many taxpayers to come together to discuss common concerns and thus the formation of $COST$. Mrs. McCoy continued that this group was made up of a diverse group of citizens opposing school travesty. Mrs. McCoy continued that the members of the committee are Nina Beasley, Fred Jones, R. Clayton Martin, Bonnie Tillotson, Bill Burke, Rev. Curtis Elliott, Dr. Betty Siano, Harry W. Watkins, Jimmy Drinkard, Harry Gordon Lawson, Charles Tanner and Ora McCoy. Mrs. McCoy explained that they are concerned that in view of the many projects initiated by the Board of Supervisors in recent months that the burden for all taxpayers would be difficult to carry but for low income and the working poor the burden would be disastrous. Mrs. McCoy stated that the committee is opposed to buying more land when there is land already in place to remodel and build a new addition to the present facility. Mrs. McCoy continued that they felt that it would be wiser to air condition the elementary school than to spend 10.8 million on more mistakes. Mrs. McCoy went on to list the mistakes that she felt had already been made. Mrs. McCoy continued that the $COST$ committee wanted true representation. She stated that they wanted all opinions heard and all concerns considered. Mrs. McCoy then asked that the members of the committee please stand and the ones that want renovation and addition to the elementary school to stand also.

Mr. Bosiger then called on Mr. Jimmy Drinkard to appear before the Board.

Mr. Drinkard began by giving his address as Route 3, Appomattox, Virginia. Mr. Drinkard continued that he has lived here all of his life and that he would be seventy-three this month. Mr. Drinkard stated that he has had two grandchildren go through this school and has never heard a complaint. Mr. Drinkard continued that there was a lot of talk about safety and that he had been to pick up his grandchildren and had no problems. Mr. Drinkard stated that there were kids playing on the field and that there was always someone there with them. Mr. Drinkard stated that he has never heard of an accident that has occurred from the bus circle. Mr. Drinkard again asked for financial information concerning County projects that have already been approved but not paid for. Mr. Drinkard continued that he felt the renovation projection had a lot of things added into it

that was not necessary. Mr. Drinkard asked the Board to look into renovation prior to voting.

Mr. Bosiger called on Mr. Milton Chambers to appear before the Board.

Mr. Chambers came forward and gave his address as Route 3 Box 410, Appomattox. Mr. Chambers explained that he was the President of the Appomattox County Assembly, Inc. Mr. Chambers explained that he felt that everyone in the room would agree that the children come first. Mr. Chambers reminded the Board that the citizens voted on a referendum in 1994 to renovate the Appomattox Middle School. Mr. Chambers asked if the people that are against renovating the Carver-Price school were saying that the tax paying people are wrong? Mr. Chambers continued that people, both black and white, want to preserve the historical value and add a new addition. Mr. Chambers asked the Board to please separate what are State mandates from what the committee wants. Mr. Chambers in closing read a poem that was read at Mozella Price's funeral.

Mr. Bosiger then called on Mrs. Renee Hoffman to appear before the Board.

Mrs. Hoffman began that she has come before the Board many times over the last few years with her concerns for the children. Mrs. Hoffman continued that two of her children have attended this elementary school. Mrs. Hoffman expressed her concerns with the present building and site. Mrs. Hoffman explained that she is not in favor of renovating the elementary school. Mrs. Hoffman continued that she felt there were a lot of uses for the present building that would benefit the community. Mrs. Hoffman asked the Board to look to the future and not try to piecemeal these buildings.

Mr. Bosiger next called on Shana Canada to appear before the Board.

Mrs. Canada gave her address as Chestnut Drive, Appomattox. Mrs. Canada explained that she has two little girls that will be attending school in Appomattox and she is concerned with the school atmosphere. Mrs. Canada expressed that with the cost as close as they are between renovation and new construction she did not understand why the Board was still considering renovation. Mrs. Canada expressed that safety issues were a real concern for her. In closing Mrs. Canada asked the Board to be sensitive to all the needs and listen to God and prayerfully make the decision.

Mr. Bosiger next called on Ms. Renee Scott to come before the Board.

Ms. Scott came forward and gave her address as Route 2, Gladstone. Mrs. Scott explained that as a parent of three boys she has spent a lot of time in the school. Mrs. Scott explained that she has picked her children up many times around lunchtime when the heat was just intolerable. Mrs. Scott continued that she was concerned with safety of the children during renovation. Mrs. Scott stated that she did not feel that the learning environment was going to be conducive for education if the children had to deal with renovation. Mrs. Scott stated that she did not feel that this was an election issue. Mrs.

Scott asked the Board to decide the issue as soon as possible and build a NEW school for our children.

Mr. Bosiger next called on Lannis Selz to appear before the Board.

Mr. Selz began by giving his address as Route 1, Spout Spring, Virginia. Mr. Selz continued that he was speaking as the School Board member for the Falling River District. Mr. Selz stated that there were four issues that he would like to mention in the five minutes that he was allotted. 1) Mr. Selz began that we knew three years ago that replacement of the elementary school was necessary and therefore we have renovated several buildings in order to save resources for this project. Mr. Selz explained that this has been part of the plan for a long time and he hoped that no one felt that this was something new. 2) Mr. Selz continued that we have known for a long time that the social conditions under which the elementary school was built are not the same as under which Appomattox County High School was built. Mr. Selz gave a brief history of the struggle of Mrs. Price to build the Carver-Price school out of nothing. Mr. Selz listed the problems with the present building. 3) Mr. Selz stated that anything could be done with enough time and money. Mr. Selz continued that if we renovate this building into a new elementary school it would have little or no resemblance to the old Carver-Price School. Mr. Selz stated that the needs of second and third graders are not the same as the needs of thirteen and fourteen year olds. Mr. Selz asked that the options be looked at for uses of the present building. 4) Mr. Selz stated that if we build a new school as needed with the idea of transferring the second grade to the new facility we can get out of the new school building business for a long time and concentrate our tax dollars toward other much needed County projects. Mr. Selz in closing stated that this was not a matter for referendum on the ballot and that the Board needed to go ahead and make the decision.

Mr. Bosiger then called on Mrs. Janice Marston to appear before the Board.

Mrs. Marston came forward and gave her address as Route 1 Box 463, Appomattox. Mrs. Marston continued by explaining to the Board that she could not imagine how they would be able to educate the children with renovation and construction going on in the school. Mrs. Marston continued by noting the safety issues that she felt were associated with the present building and site. Mrs. Marston asked that the Board listen to educators and the parents of the children and make a decision to build a new school.

Mr. Bosiger then called on Mr. Wayne Phelps to appear before the Board.

Mr. Phelps began by stating that he was a businessman and landowner in the County. Mr. Phelps continued that he feels the issue of the elementary school has divided the community. Mr. Phelps asked the Board not to raise taxes. Mr. Phelps asked that the Board hold this decision off until after the reassessment is in place. Mr. Phelps agreed that the security in the school was awful. Mr. Phelps proposed that the Board purchase the land that had been suggested, air condition the present school, make a few minor changes and wait for about five years to do anything more.

Mr. Bosiger called on Mr. McKinley Tanner to appear before the Board.

Mr. Tanner gave his address as Route 1, Spout Spring, Virginia. Mr. Tanner continued that he was a registered voter and a taxpayer of Appomattox County. Mr. Tanner stated that he represents the Carver Price Alumni Association. Mr. Tanner stated that his group wants to see the present facility renovated and added on to and continue to be used as an educational facility. Mr. Tanner asked if a new school would magically increase SOL scores. Mr. Tanner then provided several reasons why the Carver-Price Almuni Association supported renovation versus new construction. Mr. Tanner then mentioned that the Carver-Price School would be listed on the Civil Rights in Education Trail. Mr. Tanner gave a brief history of Carver-Price School. In closing Mr. Tanner read the Carver-Price school song.

Mr. Bosiger then explained that several people had asked that their letters be entered into the record. Mr. Bosiger asked Mrs. Ferguson to read a letter from Dr. Betty Siano.

$COST$

Citizens
Opposing
School
Travesty

Appomattox County
Board of Supervisors
Appomattox County, Virginia

Gentlemen:

"Look at that Beauty," "Look at that Shine"" "In 15 or is it 20 Years"" "She'll be mine"" Or, ours as the case may be. I've altered the third line of that Depression Era ditty BUT, every word is as true and applicable today, as it was at that time. Last years completion of the RENOVATION of the MIDDLE SCHOOL was just the beginning, NOW ALL WE (THE TAXPAYER) HAVE TO DO, IS PAY FOR IT!

And, I don't know how others may feel, but I feel like the proverbial "RUBE" at a carnival. I keep throwing my money away, trying to win but I haven't learned that the TARGETS ARE TOO FAST FOR ME.

I, like many others, was all for that RENOVATION, but the REAL PRIZE, it seems, has been lost, the MIDDLE SCHOOL still does not provide enough space, for instance, to feed the students without having 5 (FIVE) lunch periods. The last one at 1:30. I, certainly would dislike being one of those students who ate last! I wonder how many adults of this community would like to have lunch that late?

It is INCREDIBLE that we now have to pay for the next 15-20 years for something that is PASSE" in 1 (ONE) year!

Who is to BLAME? WE ALL ARE.

AND- BEFORE WE DO THE SAME THING OVER AGAIN, "WE" NEED TO INSIST THAT "WE" THE TAXPAYERS PARTICIPATE IN PRODUCING THE SPECIFICATIONS FOR ANY NEW BUILDING OR RENOVATION, NOR ALLOWING THE BUCK BE PASSED TO THE "ARCHITECT". How does an ARCHITECT, who lives in another community know what our needs are? GUESSTAMATION is not the answer.

Nina Beasley	William (Bill) Burke	E. M. (jimmy) Drinkard
Fred Jones	Rev. Curtis L. Elliott	Harry G. Lawson
Ora S. McCoy	R. Clayton Martin	Dr. Betty W. Siano
Charles Tanner	Bonnie Tillotson	Harry W. Watkins

August 2, 1999

Letter to Bd. Of Supervisors

The Middle School has been operational for 1 (one) Full School Year. Has any member of this Community: Teacher, Parent, Student, Board of Education and/or Board of Supervisors member OR Taxpayer SEEN or RESPONDED TO any kind of a "FOLLOW UP" Evaluation?

Follow-Up is essential "IF" we are to learn anything about how close we came to meeting the Goal (s) or Objective(s) that we Identified for Renovation in the first place. These Goal(s) and Objective(s) became or should have become the "Specifications" for the Renovation, "IF" we had done a "NEEDS ASSESSMENT".

Of course, "WE" the community did not participate in this PROCEDURE. Someone else did it for us. We turned "our" RESPONSIBILITIED over to someone else and now "WE" have 15 or 20 Years to PAY FOR IT!

What is IMPORTANT now, is that we do a "Follow-Up" Evaluation immediately, BEFORE we proceed with any other CONSTRUCTION. We must learn of the Positive things we've accomplished AND we must be made aware of the MISTAKES AND ERRORS, so they are not repeated over and over again!

We must begin to have everyone PARTICIPATE in the PLANNING of any new CONSTRUCTION. IF WE MUST PAY, WE MUST HAVE "SAY". We cannot afford anymore mistakes, there are many in the community whose very homes are in Peril due to the inability to bear rising cost in every area but particularly in TAXES.

WE SHOULD MOVE QUICKLY TO "AIR-CONDITION" THE ELEMENTARY SCHOOL. THAT SHOULD BE OUR ONLY "MAJOR" EXPENDITURE AT THAT SCHOOL UNTIL "WE" DO THE GROUND WORK REQUIRED TO REALLY PALN FOR OUR NEEDS.

-And after these debates, we will all continue to be servants of God, friends, neighbors and the best example of what it means to be an American...to have the right, privilege and sometimes duty to "SPEAK OUT" and express our opinion. God Bless America. For ONLY in America is it possible for every citizen to do so.

Very truly yours,

Dr. Betty W. Siano
(Mrs. James)

Mr. Bosiger then explained that Fred Jones has requested that Mr. Carter read a letter from him to the Board.

To: Appomattox County Board of Supervisors

From: Fred Jones

I would like say a few things that are of concern to me about the subject of new vs. renovation. First you projected a land cost for the renovation of $192,000, and when asked where that figure came from, you said "part of it was Fred Jones". I, nor my employees or any representative has been contacted by a member of the board to see if I was still interested in selling and what part they were interested in. Since it was brought up at the last meeting that you do not need 20 acres, why do you need more land? Second, the 30" width of 691 has been a problem for years and we have asked VDOT to widen it, but they would not then and will not now. Third, you had a cost in your renovation figures of $14,000 for extra mileage on the buses to go around the back of the elementary school to get to Rt. 24. But there was no mention of extra bus mileage cost for the new site which is out of the way of the current bus routes by just about a mile. Forth, if you could not afford to pay for Al Jones to keep his position, how can you afford to build a new school and fix up the existing one?
Thank you for your time and consideration of these matters.

Fred Jones

Mr. Bosiger then stated that we had also received letters from the following people concerning the elementary school project.

Mrs. Susan Shutt
Mrs. Alimond-Odell Chambers
Mr. Herbert E. Fleshman
Mrs. Laura McClenny
Dr. Krug

Mr. Bosiger then called for a five-minute recess prior to meeting with Sheriff Staples.

Mr. Bosiger reconvened the meeting and called on Sheriff Staples and Deputy Letterman to appear before the Board.

Sheriff Staples began that he understood that the Board had wished to speak with him concerning the Resource Officers at the schools handling truancy matters. Sheriff Staples continued that he did not feel that truancy was a law enforcement issue but a school issue. Sheriff Staples explained that he had checked with other localities to see how they handled truancy and they had told him that they had visiting teachers to handle truancy. Sheriff Staples explained that his officers were not trained to deal with this type of issue. Sheriff Staples then asked that he be allowed to use two (2) of the old police cars that are scheduled to be replaced for the truancy officers. Sheriff Staples stated that he felt there would be a minimal cost associated with keeping these vehicles in service and that the benefits would more than outweigh the cost.

Discussion followed as to the benefit of keeping these vehicles in service and as to the daily schedule of the resource officers.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to allow Sheriff Staples to keep two old cars for the use of the resource officers and to appropriate $5000.00 to the Sheriff's budget to pay maintenance cost on these vehicles. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Sheriff Staples and Deputy Letterman and called for Supervisor Concerns.

Mr. Torrence began that he would like to address the reason that most everyone was attending the meeting. Mr. Torrence stated that as he saw it the bottom line was that the Board was going to spend at least 10 million dollars by either building a new school or renovating and adding on to the present facility. Mr. Torrence continued that equates this to approximately $1350.00 for every day that the Board delays. Mr. Torrence also stated that for everyday that the Board delays it puts the children in this present school for another day. Mr. Torrence stated that there had been several public input sessions and he felt that all the information had been received concerning this project. Mr. Torrence asked the Board if everyone was ready to vote? Mr. Torrence continued that he would like to make this decision as soon as possible for the children.

Mr. Carwile began that first he would like to say that the Board is under no mandate as to the time that this decision must be made. Mr. Carwile continued that secondly he would like to say that there has been much input and much concern from the people from day one with this project. Mr. Carwile stated that just prior to tonight's meeting he had been faxed a lot of additional information from Fauber that he had not had time to digest. Mr. Carwile explained that he would not be part of making a decision until he had time to digest the information that had been provided. Mr. Carwile stated that he would like to say that all the concerns of all people have made it difficult to know what is the right decision. Mr. Carwile said that he would like to see this decision put off until a later date in order for him to further digest all that he had heard.

Mr. Carter stated that his position had not changed.

Mr. Moore stated that he was not ready to make a decision at this meeting.

Mr. Bosiger began that he had been trying to take all the information and work on it and that it seemed that there are four groups involved in this process. One group would like to build a new school. One group would like to protect the heritage. One group would like to renovate the school because they think it would be cheaper and one group is undecided about what would be best to do. Mr. Bosiger explained that he had been trying to look at the information that the architect had provided and research other related information. Mr. Bosiger continued that one of the things that he had looked at during his research was the student population over the past ten years to see how the student population had changed. Mr. Bosiger stated that what he had discovered was that we had about the same number of students this year that we had in 1972. Mr. Bosiger stated that he did have some concerns with some of the cost figures that had been presented. Mr. Bosiger in closing stated that he was not prepared to vote on this issue at this time.

Mr. Torrence stated that due to all the time that the Board had spent on this matter he felt that this Board should make the decision. Mr. Torrence continued that he felt that this was the Board's responsibility and he hoped they would be ready to make a decision as soon as possible. Mr. Torrence stated that he would like to see the decision made prior to the election.

Mr. Bosiger asked if anyone had any suggestions as far as making sure that the Board had given everything a fair look?

Mr. Carwile stated that he did not agree with Mr. Torrence. Mr. Carwile continued that he felt this was a decision that should be made by the new Board. Mr. Carwile stated that he strongly felt that was the right way to go. Mr. Carwile continued that if this were not acceptable to the Board that he had no problem actually saying that this should be on a referendum on November 3, 1999 and let the people decide the fate of this issue.

Mr. Carwile made a motion that this be put on a referendum and let the people decide the fate of this issue.

Mr. Bosiger explained that a motion had been made that determining the fate of renovation versus new construction be put on referendum. Mr. Bosiger called for a second to the motion.

Mr. Bosiger again called for a second to the motion.

Hearing none, Mr. Bosiger declared that the motion died for lack of a second.

Mr. Bosiger called for other discussion.

Mr. Carter stated that he felt time was needed to review the additional information that had been provided but he saw no reason why the Board could not be prepared to vote by the second meeting in September.

Mr. Bosiger stated that from the information he had received from the architect that seemed to be within a proper time frame.

Mr. Carter made a motion seconded by Mr. Torrence that the Board of Supervisors vote on the issue of new construction or renovation and addition of the elementary school at the second meeting in September 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence asked if the Board needed to hire another architect to review this project?

The general consensus was no.

Discussion followed.

After discussion and by consensus of the Board it was agreed for the Board to meet in a work session with the School Board, the architect and the engineer and for each member of the Board of Supervisors to invite one citizen to participate in the work session. The date for the work session was set for August 10, 1999 and the purpose of the work session was to receive input concerning renovating and adding on to the present elementary school.

Mr. Carter then made a motion seconded by Mr. Torrence to extend the option on the Bryant site for 149 days until after the regular meeting on September 20, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then turned the Boards attention to Administrative Items.

Mr. Bosiger explained that the Memorial United Methodist Church had requested the use of the Courtland field on September 26, 1999 as an overflow parking area.

Mr. Carter made a motion seconded by Mr. Moore to allow Memorial United Methodist Church the use of the Courtland field on September 26, 1999 for additional parking.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Town had requested the Board of Supervisors consider adopting an ordinance pertaining to the condemnation of property.

Mr. Carter explained that the Town has found an avenue to handle this problem and that no action is necessary at this time by the Board.

Mr. Bosiger then explained that due to the extremely dry conditions farmers had suffered. Mr. Bosiger asked if the Board would like to pass a drought resolution asking the Governor for assistance for the farmers?

Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, the drought conditions in the County of Appomattox have severely affected farmers; and

WHEAREAS, during the growing season of this year the County of Appomattox has received considerably less rain than normal while experiencing unseasonably high temperatures; and

WHEREAS, the County of Appomattox Food and Agriculture Council, made up of the Farm Service Agency, the Natural Resource Conservation Service, and Virginia Cooperative Extension has reported that approximately 54,000 acres of farm land has been adversely affected within the County at an estimated loss of $1,670,000.00 ; and

WHEREAS, it is incumbent upon the County of Appomattox Board of Supervisors of the County of Appomattox, Virginia, that the County Administrator is hereby instructed to file with the Governor of Virginia a request that the County of Appomattox be designated as a drought disaster area.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next asked the Board if they were prepared to proceed with a contract with Craddock-Cunningham for architectural services for the Health Department Roof?

Mr. Carter made a motion seconded by Mr. Moore to accept the contract with Craddock-Cunningham for architectural services for the Health Department roof. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that the roof on the County Administration building was also leaking and asked if the Board wished to proceed with bids for these repairs?

Mr. Moore made a motion seconded by Mr. Torrence to proceed with receiving bids for repairs to the County Administration building roof. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then informed the Board that an appointment was necessary to the Piedmont Alcohol Safety Action Board and explained that Mike Scott had been recommended for this appointment.

After discussion and by consensus of the Board it was agreed to ask Mike Scott if he would be willing to serve on this Board.

Mr. Bosiger next presented several supplemental appropriation requests for Board approval.

Mr. Moore made a motion seconded by Mr. Torrence to approve the following supplemental appropriations:

$ 70.56 to 3102-1002
4074.56 to 3107 DMV Grant
35.00 to 7301-5411
31.00 from the Special Library Fund to 7301-5414
26548.32 from the Trigon Employee Health Care Fund
63.31 from the Law Library Fund

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that a supplemental appropriation was necessary to pay Hurt & Proffitt for services in relation to redevelopment and relocation of monitoring well #6 and Part "B" application for the new cell.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate $7540.10 to 4204-3002 to pay for engineering services. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Mr. Andy Carroll to give the report on the progress at the landfill.

Mr. Carroll explained that the construction was well under way and seemed to be proceeding very close to schedule. Mr. Carroll continued that due to this several pieces of equipment were needed and the bids should be obtained as soon as possible. Mr. Carroll asked for permission to seek bids for an articulated loader, a roll-off truck and quick disconnect for the present loader.

Mr. Torrence made a motion seconded by Mr. Carwile to seek bids and purchase an articulated loader; a roll-off truck and quick disconnect for the present loader. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Shawn Chambers an employee at the Library had resigned. Mr. Bosiger continued that the other employees were concerned as to whether they would still be on full-time when the Librarian was hired. Mrs. Rieder, Chairperson for the Library Board, would like assurance from the Board of Supervisors that the two individuals that are presently on full-time will retain their full-time status.

After discussion and by consensus of the Board it was agreed that the two employees that are presently full-time at the Library would remain full-time when a Librarian is hired.

Mr. Bosiger then explained that the Library was seeking a grant for technology and that a match was required from local funds if the grant is received. Mr. Bosiger stated that the Library Board would like to know if the Board of Supervisors would match any grant that may be received for technology.

Mr. Carter made a motion seconded by Mr. Torrence to match the technology grant up to $5,000.00 and to have the Library staff be sure that safeguards are in place on internet usage for young people. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Department of Conservation and Recreation had made their recommendation concerning the proposed Community Park. Mr. Bosiger asked if the Board was ready for Mrs. Ferguson to schedule public hearings on this matter?

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson schedule public hearings on the proposal for the Community Park.

Being no further administrative items Mr. Bosiger asked if any member of the Board had other business.

After discussion, Mrs. Ferguson was asked to contact Cabell Insurance for a cost for that coverage.

Mr. Bosiger then returned the attention of the Board to a request from CHIA for the Health Department Board to request July 1, 1999 and would like for Mr. Gary Gilliam to appear before the Board and give a brief explanation of these changes.

After discussion, and by consensus of the Board, except for Mr. Carwile who did not participate in the discussion, Mrs. Ferguson was instructed to write a letter to Mrs. Linda Bachman's supervisor and request this information.

Mr. Bosiger next presented information from Cabell Insurance concerning employee practices liability insurance coverage for the County.

A regular meeting of the Appomattox County Board of Supervisors was held on August 2, 1999 at 7:00 P.M. in the Appomattox Elementary School Auditorium, Confederate Blvd., Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and called on Mr. Carter to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carwile stated that on page 6 of the June 28, 1999 meeting, the second paragraph should read, "...by consensus of the Board, except Mr. Carwile..."

Mr. Bosiger asked Mrs. Ferguson to note the correction.

Mr. Bosiger called for other additions or corrections to the minutes.

Being no further corrections, Mr. Carter made a motion seconded by Mr. Torrence to approve the minutes of June 28, 1999 regular meeting as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of the bills.

Mr. Torrence made a motion seconded by Mr. Moore to approve the bills dated June 28, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Elizabeth Gilliam to appear before the Board.

Ms. Elizabeth Gilliam came forward and gave her address as P. O. Box 127, Concord, Virginia. Ms. Gilliam explained that she has been a teacher in Appomattox County for twenty-eight years, twenty-four of which have been at the elementary school. Ms. Gilliam continued that she was not in support of any particular site but she did support a new school on a new site. Ms. Gilliam stated that she did feel that the present Carver-Price site should be honored and protected however, Ms. Gilliam did not feel that the

Mr. Bosiger then explained that Shawn Chambers an employee at the Library had resigned. Mr. Bosiger continued that the other employees were concerned as to whether they would still be on full-time when the Librarian was hired. Mrs. Rieder, Chairperson for the Library Board, would like assurance from the Board of Supervisors that the two individuals that are presently on full-time will retain their full-time status.

After discussion and by consensus of the Board it was agreed that the two employees that are presently full-time at the Library would remain full-time when a Librarian is hired.

Mr. Bosiger then explained that the Library was seeking a grant for technology and that a match was required from local funds if the grant is received. Mr. Bosiger stated that the Library Board would like to know if the Board of Supervisors would match any grant that may be received for technology.

Mr. Carter made a motion seconded by Mr. Torrence to match the technology grant up to $5,000.00 and to have the Library staff be sure that safeguards are in place on internet usage for young people. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Department of Conservation and Recreation had made their recommendation concerning the proposed Community Park. Mr. Bosiger asked if the Board was ready for Mrs. Ferguson to schedule public hearings on this matter?

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson schedule public hearings on the proposal for the Community Park.

Mr. Bosiger then turned the attention of the Board to a response from VHDA for information that the Board had requested.

After discussion, and by consensus of the Board, except for Mr. Carwile who did not participate in the discussion, Mrs. Ferguson was instructed to write a letter to Mrs. Linda Bachman's supervisor and request this information.

Mr. Bosiger next presented information from Cabell Insurance concerning employee practices liability insurance coverage for the County.

After discussion, Mrs. Ferguson was asked to contact Cabell Insurance for a cost for this extended coverage.

Being no further administrative items Mr. Bosiger asked if any member of the Board had other business.

Mr. Bosiger stated that he understood that there were some major changes to the Health Departments regulations effective July 1, 1999 and would like for Mr. Gary Gilliam to appear before the Board and give a brief explanation of these changes.

Mrs. Ferguson was asked to contact Mr. Gilliam and schedule a time for him to meet with the Board.

Being no further business, at 10:30 P.M. Mr. Carter made a motion seconded by Mr. Moore to recess until August 10, 1999 at 7:00 P.M. in the School Board conference room for a work session on the elementary school. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A recessed meeting and joint work session of the Appomattox County Board of Supervisors and the Appomattox County School Board was held on August 10, 1999 in the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (School Board):
Lannis Selz – Falling River District
Jean Mills – Wreck Island District
Kenneth McClenny – Appomattox River District
Robert Mitchell – Appomattox Courthouse District
Martha Pankey – Piney Mountain District

Also Present:
Robert Pankey
Bill Jamerson
Dallas Summers
Tom Schmutz
Milton Chambers
Aileen T. Ferguson – County Administrator

Mr. Bosiger called the meeting to order at 7:00 P.M. and welcomed everyone in attendance. Mr. Bosiger next delivered the invocation. Mr. Bosiger then asked that each Supervisor introduce his citizen representative on the elementary school committee.

Mr. Bosiger then provided a brief background of the elementary school project and stated that the purpose of the meeting was to try to answer any questions that members of the committee may have.

Mr. Bosiger asked that Mr. Torrence begin with any questions that he may have.

Mr. Torrence began that he was one of the members of the site selection committee and they had met approximately twenty times over the course of several years in order to be sure that the best site had been chosen for the elementary school. Mr. Torrence continued that he is personally very comfortable with the figures that have been presented and that he has no questions concerning these figures. Mr. Torrence stated that his position was based on these figures and that he supports a new school on a new site.

Mr. Bosiger next called on Mr. Milton Chambers to ask his questions.

Mr. Chambers asked if a needs assessment had been done for the elementary school. Mr. Chambers also asked a question concerning the difference in the square footage in the present school and the proposed new school.

Mr. Bosiger then asked Mr. Carter if he had questions concerning the proposed project.

Mr. Carter began that he had attended all the meeting that have been held in the past few years and he felt the information that had been presented pointed to a new elementary school instead of a renovated facility. Mr. Carter explained that he had received numerous calls related to this matter and he had some concerns with what would be done with the present facility if a new school were constructed.

Mr. Bosiger then called on Mr. Bill Jamerson.

Mr. Jamerson stated that he would like to make a couple of statements. Mr. Jamerson continued that he felt a lot of people thought the issue of what should be done with the elementary school had just come up. Mr. Jamerson explained that this matter had come up six years ago when he was serving on the Board. Mr. Jamerson stated that he has had mixed emotions on this issue and that somewhere in the discussion he would like to present some facts and figures that he has concerning the elementary school renovation and addition. Mr. Jamerson said that the only questions that he had were when was the study authorized and were the results of the study shared with the community? Mr. Jamerson continued that he did take exception to the figures and would like to know what directions the architects and engineers were given when they were hired?

Mr. Bosiger then called on Mr. Carwile for his comments.

Mr. Carwile stated that he was deeply concerned with this issue. Mr. Carwile continued that he was concerned to the point that he wanted to take whatever time was necessary to make sure that whatever decision was made would be in the best interest of ALL the taxpayers. Mr. Carwile stated that he had not decided at this time what he felt was the best decision and that he was taking in all the input that he could in order to make an educated decision. Mr. Carwile continued that he WOULD represent the voice of the people. Mr. Carwile stated that this has been an ongoing issue. Mr. Carwile stated that

he was concerned with the needs assessment. Mr. Carwile continued that his concern is with the burden on the taxpayers. Mr. Carwile stated that he would like to explain his position concerning renovation versus new in general. Mr. Carwile continued that in the past that anytime that renovation was approximately 80% the cost of new construction he would go for new construction. Mr. Carwile continued that he did not feel that in this case renovation had a fair shake in the cost comparison with the new construction. Mr. Carwile continued that he would vote on this issue with an open mind and that was why he had been instrumental with the Board in getting this decision down the road in order to get whatever information was necessary to do the right thing by the people that have to pay for it.

Mr. Carwile then asked Mr. Dallas Summers if he had any questions?

Mr. Summers stated that he did not have questions that had not already been asked by someone else.

Mr. Bosiger then called on Mr. Moore for his questions.

Mr. Moore began that he was not going to speak long. Mr. Moore stated that he had a problem with the cost of the renovation. Mr. Moore continued that he has been through the building numerous times and that he had seen nothing that could not be fixed. Mr. Moore stated that he was not totally for renovation but he felt that it should be considered because the building was in good enough shape to renovate. Mr. Moore explained that his real concern was what was going to be done with the present facility if a new school were constructed. Mr. Moore said that he would not vote for a new school unless someone could convince him that the present building could be used for a useful purpose and that it would not be a burden on the taxpayers.

Mr. Moore asked Mr. Schmutz if he had anything to add?

Mr. Schmutz began that Mr. Moore had taken the words right out of his mouth. Mr. Schmutz continued that as a taxpayer that was his main concern. Mr. Schmutz stated that he was not sure that using the present facility was the right move.

Mr. Bosiger thanked everyone for their comments and stated that his major concern was the use of the present facility and the impact on future budgets. Mr. Bosiger continued that he would like for the requirements of the school administration to be met. Mr. Bosiger gave some projections as to what he felt the tax rate would have to increase in order to take care of the school project. Mr. Bosiger in closing stated that he wanted the Board to make sure the taxpayer money was spent properly and wisely.

Mr. Bosiger then asked Mr. Robert Pankey for his comments.

Mr. Pankey stated that he felt the cost figures were hard to understand. Mr. Pankey questioned the figures for renovation. Mr. Pankey continued that he had not been in the school in a long time but he still felt the estimates looked unusual.

Mr. Torrence asked if Dr. Krug and his staff should comment at this time? Mr. Torrence asked what was going to happen to the children during the construction process. Mr. Torrence felt that it was dangerous to the children to be put in this situation.

Mrs. Jean Mills stated that she would like to add to Mr. Torrence's comments that she has been through a small renovation project and that it was a nightmare for the children. Mrs. Mills stated that they just survived but they did not learn much. Mrs. Mills felt that the only way to renovate would be to move the children somewhere else during the renovation process.

Mr. Carwile stated that he supported Mr. Moore's comments concerning what is going to happen to the present facility. Mr. Carwile continued that he feels that the Board of Supervisors has failed by not having idea's for use of the present facility if a new school is constructed. Mr. Carwile stated that he feels that all are concerned with the heritage of the Carver Price School and trusts that he Board can find a use for the present facility. Mr. Carwile is concerned with what will satisfy the community. Mr. Carwile stated that the voice of the people that he was hearing were saying stay with what you have and do on these premises.

Mr. Milton Chambers asked what has been spent on the elementary school in the past few years.

Mr. Torrence stated that he felt that Mrs. Marston could answer that question.

Mr. Bosiger then asked Mr. Blair Smith and Mr. Earl Dickerson to provide answers for the questions that had been asked.

Mr. Smith began by asking questions that he had heard from individuals prior to the meeting. Several questions were why did the school keep saying they needed 20 to 30 acres for an elementary school facility when the state said that 13 acres was sufficient? Another question Mr. Smith said that he was being asked was if specifications had been drawn for the facility? Mr. Smith stated that he would try to answer these questions.

Mr. Smith then tried to answer each of the questions and concerns that he had noted from the comments of the Board of Supervisors members and the citizen representatives.

After Mr. Smith's presentation, Mr. Bosiger called for a five-minute break at 8:50 P.M.

Mr. Bosiger reconvened the session at 9:00 P.M. and asked if anyone else wished to comment?

Mr. Bill Jamerson began that he had some information that he would like to present. Mr. Jamerson addressed several concerns that had been brought to light and explained how these concerns could be addressed during renovation. Mr. Jamerson then presented cost estimates for renovation that he had figured.

Mr. Bosiger asked if anyone else would like to comment.

Dr. Krug stated that he just wanted to remind the Board to please consider the program needs of the schools prior to making a decision concerning renovation. Dr. Krug continued that he was still concerned with the present site and asked that the Board look at the site conditions prior to making a final decision.

Mr. Carter stated that he felt that site concerns should be the next issue that the Board addresses.

Mr. Bosiger asked if the members of the Board would like to meet for another work session to discuss the concerns with the present site?

After discussion and by consensus of the Board it was agreed to meet on August 23, 1999 at 7:00 P.M. in the school board conference room to go over site concerns with the present site.

Mr. Carter made a motion seconded by Mr. Torrence to adjourn until 6:00 P.M. on August 16, 1999 in the Courthouse for a work session with Robinson Farmer Cox on the financial forecast. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger
GARET K. BOSIGER

A recessed meeting and work session of the Appomattox County Board of Supervisors was held on August 16, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the meeting to order at 6:00 P.M. and welcomed Mr. Steve Jacobs with Robinson Farmer Cox. Mr. Bosiger then asked Mr. Jacobs to provide the financial information for the County that the Board had requested.

Mr. Jacobs began by explaining that Mrs. Ferguson had already told him of some changes that needed to be made to his draft documents.

Mr. Jacobs and Mrs. Ferguson then went into a lengthy review of the forecast presented by Robinson Farmer Cox. (Copy on file in the County Administrator's Office).

After a lengthy discussion Mr. Jacobs was asked to provide several scenarios for the Board to review and to make the corrections that had been noted.

At 6:55 P.M. Mr. Moore made a motion seconded by Mr. Carter to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on August 16, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
- Garet K. Bosiger – Chairman – Falling River District
- Samuel E. Carter – Courthouse District
- Russell H. Moore – Piney Mountain District
- Dennis W. Torrence – Appomattox River District

Absent (Board of Supervisors):
- Frank H. Carwile – Wreck Island District

Present (Town Council):
- Ronnie Spiggle, Mayor
- R. L. "Dick" Bass, Vice Mayor
- Joyce Bennett

Absent (Town Council):
- Steve Lawson
- Jimmy Mayberry
- Lewis McDearmon
- Marvin Mitchell

Present (Planning Commission):
- Al Sears
- Calvin Tanner
- Kevin O'Brien
- Wayne Lewis
- Jim Sefter (late)
- Russell Moore

Absent (Planning Commission):
Elizabeth Edwards
Claude Allen Moore
Marvin Mitchell
Robert Johnson

Present (Board of Zoning Appeals):
James Cheatham
Cliff Harvey
Dale Campbell

Absent (Board of Zoning Appeals):
Matt Lair
Elizabeth Edwards

Also Present:
Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney
Andy Carroll – Assistant County Administrator
W. M. Caldwell - Clerk to the Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. explained the purpose of the hearing was to receive public comment on several zoning petitions and gave the procedure for addressing comments to the Board.

Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition number 99-391 of June B. Chenault for a variance to side yard setback required by Appomattox Town Zoning. Property is located at intersection of High Street and Bandana Street.

Mr. Bosiger called for comments on this petition.

Mrs. June B. Chenault came forward and gave her address as Appomattox, Virginia. Mrs. Chenault explained that her reason for this request was so that she could add a bedroom and bath.

Mr. Bosiger called for other comments.

Mr. Steve Conner came forward and gave his address as Second Street, Appomattox, Virginia. Mr. Conner continued that a little over a year ago Mrs. Chenault made the statement that she did not want anyone to have variances in this neighborhood that it should be left like it is. Mr. Conner continued that he felt she had enough yard to do what she wanted but she would have to rearrange it differently.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-392 of Seay & Thomas (Vivian Seay) for a conditional use permit to allow on site advertisement sign erected on property located at 500 Court Street. Tax Map #64A5-4-B-1. Zoned R-2.

Mr. Bosiger called for comments on this petition.

Ms. Vivian Seay came forward and gave her address as 500 Court Street, Appomattox, Virginia. Ms. Seay continued that they wanted to put an on site sign at their business located on Court Street. Ms. Seay explained that an approximate size of the sign was shown on the sketch that was submitted with the application and that the sign would be erected on Court Street approximately 6 to 10 feet off the street. Ms. Seay stated that the sign will be perpendicular to the street and will be a two-sided sign.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-393 of Tracie R. Porter for a conditional use permit for home occupation (Small engine repair) in accessory building. Property is Tax Map #88-A-21 and 21, located on Route 733 between Route 727 and Dead End and is zoned R-1.

Ms. Tracie R. Porter came forward gave her address as Appomattox and asked the Board to grant her request for a small engine repair business in an accessory building located at her home.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-394 of James L. Arthur for a conditional use permit for home occupation (gun shop and gunsmith service) in accessory building. Property is Tax Map #76A-130, located on Route 635 between Route 1057 and Route 695 and is zoned A-1.

Mr. Bosiger called for comments on this petition.

Mr. James L. Arthur came forward and gave his address as Route 1 Box 838, Appomattox, Virginia. Mr. Arthur began that he just moved here from Amherst County and that he had been in this business for 30 years. Mr. Arthur explained that his business was catalog sales and that he could not sell to anyone under 21 years of age. Mr. Arthur

continued that there would be no rifle or pistol range involved. Mr. Arthur also stated that there would be no impact on traffic.

Mr. Bosiger called for other comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-395 of Harold and Jeanette Cordell requesting to Conditional Zone property from A-1 to B-1 with Conditional Use Permit for Retail Nursery and Greenhouse. Property is part of Tax Map #88-A-25B located on Route 635 between Route 695 and Route 681.

Mr. Bosiger called for comments on this petition.

Mr. Harold Cordell came forward and gave his address as Route 1 Box 743, Appomattox, Virginia. Mr. Cordell explained that he just wanted to open a nursery and greenhouse on his property.

Mr. Bosiger called for other comments.

Hearing none, and there being no more petitions, Mr. Bosiger declared the public hearing closed at 7:10 P.M.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on August 16, 1999 at 7:26 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Dennis W. Torrence – Appomattox River District
Russell H. Moore - Piney Mountain District-(Late due to Planning Commission Meeting)

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – Commonwealth Attorney

Mr. Bosiger called the meeting to order at 7:26 P.M. and delivered the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Carter to approve the minutes of the joint public hearing of July 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called for approval of the bills.

Mr. Carter made a motion seconded by Mr. Torrence to approve the bills of August 16, 1999 for payment. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then began with the Administrative Items.

Mr. Bosiger explained that a resolution was necessary for Country Haven Estates to proceed with paving another portion of Main Street in order for it to be taken into the State highway system. Mr. Bosiger continued that Country Haven Estates Homeowners Association had deposited $40,575.67 with the County to cover their portion of the construction cost and that this would need to be appropriated for payment to the State.

Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution and appropriate $40,575.67 to pay for construction to a portion of Main Street in Country Haven Estates.

WHEREAS, the property owners in Country Haven Subdivision located on Route 750, 0.37 Mile West of Route 611 in Stonewall Magisterial District have requested the Virginia Department of Transportation to provide an estimate for the construction of 0.63 miles of Main Street from Route 750 (0.37 mile west of Route 611) to 0.63 mile west Route 750 to the requirements of Virginia Department of Transportation and

WHEREAS, the Virginia Department of Transportation has provided an estimate for the cost for said subdivision street and the affected property owners have donated throughout the county $40,575.67 fifty (50) percent of the estimate.

NOW THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation hereby is requested to add to the Appomattox County Secondary Road System for construction and maintenance the following section of road in accordance with Section 33.1-72.1, paragraph C, of the Code of Virginia 1950, as amended.

MAINSTREET, Beginning at the existing end of state maintenance of Route 750 (0.37 mile west Route 611) and running northwest for a distance of 0.63 mile.

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements for drainage on adjacent properties.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented information from Appomattox Volunteer Fire Department that they have been unable to locate a buyer for the truck that they are replacing. Mr. Bosiger explained that the fire department would like to keep the truck and convert it to an equipment truck.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to allow the Appomattox Volunteer Fire Department to keep the old engine and convert it to an equipment truck. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Historic Appomattox Railroad Festival Board was requesting the use of the Courtland field, the parking lot at the Health Department and the Courthouse Square for railroad festival weekend. Mr. Bosiger continued that the festival board was also requesting a fireworks permit for Saturday night.

Mr. Carter made a motion seconded by Mr. Torrence that the Historic Appomattox Railroad Festival Board be granted the use of the Courtland field, the parking lot at the Health Department and the Courthouse Square for railroad festival weekend with the proper insurance. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter that a fireworks permit be issued to the Historic Appomattox Railroad Festival Board for October 9, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Mr. Mike Scott had agreed to serve on the Piedmont Alcohol Safety Action Program Board.

Mr. Carter made a motion seconded by Mr. Torrence to appoint Mr. Mike Scott to the Piedmont Alcohol Safety Action Program Board for a term to expire September 2002. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mecklenburg County Board of Supervisors was requesting a resolution of support for tobacco farmers to provide economic assistance due to their severe losses.

Mr. Torrence made a motion seconded by Mr. Carter to pass the following resolution:

WHEREAS, the tobacco industry had played a proud role in the history of Appomattox County, and remains vital to the economic well-being of Appomattox County;

WHEREAS, the tobacco industry is under assault on many fronts, as a result of which the future for tobacco production in Appomattox County is seriously challenged;

WHEREAS, in the last two years the reductions in flue tobacco allotment quotas have totaled approximately thirty-four percent (34%);

WHEREAS, under "Master Settlement Agreement" negotiated with tobacco companies, the Commonwealth of Virginia will receive approximately TWO BILLION AND NO/100 $2,000,000,000.00 DOLLARS;

WHEREAS, the Appomattox County Board of Supervisors feels strongly that the settlement funds received by the Commonwealth of Virginia should be utilized, to any extent necessary, to mitigate the adverse impact upon tobacco growers caused by the many adverse factors which now threaten the future of all tobacco growers in the Commonwealth;

IT IS, ACCORDINGLY, HEREBY RESOLVED: That the Governor and the General Assembly are urged to allocate a significant portion of the funds received by the Commonwealth of Virginia under the Master Settlement Agreement for the benefit of tobacco growers in the Commonwealth.

FURTHER RESOLVED: That the funds so allocated should be paid over to the A.L. Philpott Commission, with a specified directive that the Commission expend such money in an equitable manner for the benefit of all tobacco growers in the Commonwealth of Virginia generally, to expressly include those within Appomattox County, Virginia. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger presented estimates for repairs to the house located on Route 727 that the County owns.

Mr. Torrence made a motion seconded by Mr. Carter to proceed with repairs to the house located on Route 727 at a cost of $6,475.00 and appropriate the same. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several supplemental appropriation requests for approval.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate $14,100.77 to pay engineering fees for Part "A" application for the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $200.00 to the Dare Program for a donation received. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented bills for the elementary school feasibility study.

After discussion and by consensus of the Board Mrs. Ferguson was asked to get a breakdown of the charges from Hurt & Proffitt for the school feasibility study.

Mr. Bosiger then stated that the post office had requested that the County name Route 642 in order to decrease the number of citizens that would have to have their mailing addresses changed.

Mr. Carter volunteered to contact the people living on this route and get a consensus for a road name.

Mr. Moore joined the meeting at 7:52 P.M.

Mr. Bosiger next presented a request from the Civil Rights in Education Heritage Trail committee for participation in a grant from VDOT in the amount of $200,000.00. Mr. Bosiger explained that a match in the amount of $40,000.00 was necessary before they could except this grant. Mr. Bosiger continued that the committee was requesting a portion of this $40,000.00 from the localities along the trail.

After discussion no action was taken.

Mr. Bosiger then called for Supervisor Concerns.

Mr. Moore explained that he had been speaking with Ann Dixon concerning the recreation department using the Courtland field and he understands that there are some holes that need to be filled before the recreation department could use the field. Mr. Moore asked if the maintenance department could get with Mrs. Dixon and take care of this?

Mrs. Ferguson stated she would look into this matter.

Mr. Carter then gave a report on the Appomattox Town Council meeting.

Mr. Torrence asked if a policy were necessary concerning the open reading of letters at a meeting of the Board?

Discussion followed.

After discussion and by consensus of the Board it was agreed that letters would not be read into the record at Board meetings.

Mr. Torrence then provided several handouts dealing with solutions for citizen concerns with the use of the old elementary school if a new school is constructed.

Mr. Bosiger then explained that an executive session was necessary for consultation with legal counsel.

At 8:05 P.M. Mr. Carter made a motion seconded by Mr. Torrence to enter into executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore at 8:57 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was action necessary from the executive session?

Hearing none and being no further business at 9:04 P.M. Mr. Moore made a motion seconded by Mr. Carter to adjourn until August 23, 1999 for a recessed meeting and work session in the School Board Conference room at 7:00 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A recessed meeting and work session of the Appomattox County Board of Supervi+sors was held on August 23, 1999 at 7:00 P.M. in the School Board conference room, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the work session to order and asked Mr. Moore to deliver the invocation.

Mr. Bosiger began by giving a brief explanation of what was discussed at the last work session and stating that the purpose of the meeting was to discuss the present elementary school site.

Mr. Bosiger asked Mr. Torrence if he would begin with his comments concerning the present elementary school site.

Mr. Torrence stated that he felt the key to the elementary school decision were with the problems with the site itself. Mr. Torrence mentioned some of the problems such as the location, traffic, surrounding industrial area, etc.

Mr. Milton Chambers stated that he was interested in hearing facts concerning why the engineers felt the site would not work for a school.

Mr. Robert Pankey stated that he was interested in hearing pros and con's concerning the site.

Mr. Bosiger stated that he was interested in the costs that have been projected for site improvements and explanations for these costs.

Mr. Moore stated that he had come up with some suggestions for bus traffic at the present school and was interested in hearing what everyone had to say.

Mr. Carwile stated that he still had an open mind to listening to the engineer's address the concerns that have been brought by many. Mr. Carwile continued that he feels the concerns can be addressed and accomplished. Mr. Carwile stated that he was curious to hear what was to be said concerning this issue.

Mr. Dallas Summers began that he feels the traffic pattern could be addressed. Mr. Summers feels that route 691 is not a good road to run school buses on.

Mr. Carter stated that he did not have anything more than what had already been asked.

Mr. Bill Jamerson said that he did not see a problem with the site. Mr. Jamerson continued that he would like to see the proposal for traffic patterns that Hurt & Proffitt would be presenting.

Mr. Tom Schmutz said that he had been on a tour of the school. Mr. Schmutz continued that he was interested in hearing what would be done with the children during the renovation process. Mr. Schmutz said that he had toured the Middle School and felt that a nice job had been done with the renovation and addition. Mr. Schmutz explained that he had also toured the recently renovated Leesville Elementary School. Mr. Schmutz

closed that he was mainly concerned with the placement of children during the renovation and seeing that they were kept safe.

Mr. Bosiger then asked Mr. Earl Dickerson of Hurt & Proffitt if he would present his scenarios concerning the present school site.

Mr. Dickerson began by first presenting guidelines from the Department of Education for an elementary school site. Mr. Dickerson continued that an 800-student school would require 12 acres of land to meet the minimum site requirement. Mr. Dickerson then presented five different scenarios for improvements to the present site in order to meet State requirements. Mr. Dickerson provided cost estimates for each scenario.

Questions and answers followed.

Comments were taken from all present concerning their individual views with the information provided.

After discussion and by consensus of the Board it was agreed that the Board would tour the Middle and Elementary Schools on September 3, 1999 beginning at 1:00 P.M. at the Middle School.

At 9:00 P.M. Mr. Moore made a motion seconded by Mr. Carter to adjourn until August 30, 1999 at 6:00 P.M. in the Courthouse. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A recessed meeting of the Appomattox County Board of Supervisors was held on August 30, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order at 6:00 P.M. and stated that there were several items that needed to be discussed concerning the landfill. Mr. Bosiger asked Mr. Carroll to go over the bids that have been received for the articulating loader and the roll-off truck.

Mr. Carroll began by explaining that bids had been received on the two pieces of equipment that are needed at the landfill and that L. B. Smith Inc. was low bid for the articulating loader at $55,678.00 and VA Truck Center was low bid for the roll-off truck at $94,184.00. (A copy of all the bids are on file in the County Administrator's Office.)

Mr. Carroll continued that Hurt & Proffitt has recommended that we accept the two bids as presented. Mr. Carroll explained that both pieces of equipment could be leased at a cost of $945.00 per month for the loader and $1836.21 for the roll off truck for a five-year term.

Mr. Carroll then answered questions of the members of the Board.

After discussion there was some concerns expressed over the type of tire that was bid on the articulating loader. The consensus of the Board was that Mr. Carroll inform L.B. Smith Inc. that the County wanted mining tires on the articulating loader at no additional cost.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to accept the bids of L.B. Smith Inc. and VA Truck Center for an articulating loader and a roll off truck and appropriate $27812.10 to pay the lease on this equipment for FY2000. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an executive session was necessary to discuss the purchase of property and the hiring of personnel.

At 6:27 P.M. Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session to discuss a personnel matter and the purchase of property. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 7:05 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for action from the executive session.

Mr. Torrence made a motion seconded by Mr. Moore to hire Mr. Roger Womack for a full-time position at the landfill at a salary of $11960.00 with a 6-month probationary period. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger the explained that he would like to ask the Board to pass a resolution supporting the schools efforts in having a two minute period of silence in the schools each day.

A lengthy discussion followed.

After discussion Mr. Carwile made a motion seconded by Mr. Carter to support the school in pursuing a period of silence in the schools each morning. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked the other members of the Board if they were interested in beginning their meetings at 6:00 P.M. instead of 7:00 P.M. in order to be through by 9:00 P.M.

After discussion and by consensus of the Board it was agreed to begin the Board's regular meetings at 6:00 P.M. from now until the end of 1999.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to adjourn at 7:30 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on September 7, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Falling River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney (late)

Mr. Bosiger called the meeting to order at 6:00 P.M. and asked Mr. Torrence to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Carter to approve the minutes of the regular meeting of July 19, 1999 and the recessed meeting of July 21, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of the bills dated September 7, 1999.

Mr. Carter made a motion seconded by Mr. Carwile to approve the bills dated September 7, 1999 for payment as submitted. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by requesting a resolution of abandonment for portions of Route 608. Ms. Lindsay explained that now that construction was complete this resolution was necessary to clean up this project.

Mr. Carwile made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, Route 608, Project 0608-006-142, C502 from 0.067 mile North of Route 609 to 0.09 mile North Route 669 has been constructed and approved by the State Transportation Board, and

WHERAS, Construction of Route 608 has caused sections of existing road to follow new location, as shown on the attached sketch titled " Changes in the Secondary System Due

to Relocation and Construction on Route 608, Project 0608-006-142, C502" and dated at Richmond, Virginia, August 26, 1999.

BE IT RESOLVED, that the portion of Route 608, Section 1, as shown in red on the aforementioned sketch having a total length of 0.14 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOVLED, that the portion of Route 608, Section 2, a shown in red on the aforementioned sketch having a total length of 0.50 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 3, as shown in red on the aforementioned sketch having a total length of 0.16 mile be abandoned as a public road pursuant to Section 33.1 –155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 4, as shown in red on the aforementioned sketch having a total length of 0.52 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 5, as shown in red on the aforementioned sketch having a total length of 0.14 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 6 as shown in red on the aforementioned sketch having a total length of 0.09 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 7, as shown in red on the aforementioned sketch having a total length of 0.16 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 669, Section 16, as shown in red on the aforementioned sketch having a total length of 0.11 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 669, Section 17, as shown in green on the aforementioned sketch having a total length of 0.07 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 8, as shown in blue on the aforementioned sketch having a total length of 0.14 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 9, as shown in blue on the aforementioned sketch having a total length of 0.47 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 10, as shown in blue on the aforementioned sketch having a total length of 0.15 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 11 as shown in blue on the aforementioned sketch having a total length of 0.52 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 12, as shown in blue on the aforementioned sketch having a total length of 0.13 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 13, as shown in blue on the aforementioned sketch having a total length of 0.09 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 14, as shown in blue on the aforementioned sketch having a total length of 0.06 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 608, Section 15, as shown in blue on the aforementioned sketch having a total length of 0.06 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Ms. Lindsay then answered questions and concerns of the members of the Board.

Mr. Bosiger thanked and excused Ms. Lindsay and called on Mr. Jim Cook with the Forestry Department to appear before the Board.

Mr. Cook began by thanking the Board for allowing him to come before them to present the annual report on the Appomattox Buckingham State Forest. Mr. Cook continued that the forest received the heaviest use ever this past year. Mr. Cook explained that a trout stream has been stocked in the forest and has been very successful in attracting people to

the forest. Mr. Cook continued that we had been very fortunate this last year with no insect infestation and no ice storms to damage the forest. Mr. Cook stated that the seed orchards have been expanded and that 273 acres have been purchased and added to the State forestlands. Mr. Cook then presented the Board with a check in the amount of $19,955.64 which is the County's 25% of the gross revenues from the State forest.

Mr. Bosiger thanked and excused Mr. Cook and asked Mr. Jim Bowles and Mr. Gary Gilliam with the Health Department to appear before the Board.

Mr. Bowles began by explaining that his purpose for meeting with the Board was to go over some changes in Health Department regulations dealing with septic systems. Mr. Bowles explained that there were actually two different sets of regulations. He continued that at the present time one set was actually policy at the present time but would soon be regulation and they are what are called authorized on site soil evaluations or AOSE. Mr. Bowles explained that the legislature in this last session required the Health Department to come up with a program for private sector soil consultants to do soil evaluations for septic systems due to the backlog with the health departments. Mr. Bowles explained that now the health department would except soil work from AOSE's and issue permits based on the paperwork submitted from these people without fieldwork by the health department. Mr. Bowles stated that another change in the regulations is the way the Health Department deals with subdivisions. Mr. Bowles stated that the only way they will accept information on subdivision plans would be through the County. Mr. Bowles continued that the regulations put minimum requirements for the plans that have not been in effect before. Mr. Bowles explained that one example of this was that topography would be required to be shown on the plans. Mr. Bowles continued that the second set of regulations was a revised on-site sewerage disposal regulation. Mr. Bowles stated that these regulations would become effective October 1st. Mr. Bowles explained that there are three main impacts that will be noticed locally. The First is in the design of the septic tank construction. The new system will require an inspection port with an effluent filter to encourage pre-maintenance. Mr. Bowles stated that second was the separation between ditches and the rock and water table. Mr. Bowles stated now the minimum separation will be 18" in order to protect groundwater. Mr. Bowles said that this could cause some problems locally. Mr. Bowles stated that this could allow the health department to permit some systems that could not have been permitted prior to the changes however, the systems will be more expensive due to sand filter requirements between the tank and the drainfield. In closing Mr. Bowles presented the County with a copy of the new regulations.

Mr. Bosiger thanked and excused Mr. Bowles and Mr. Gilliam and called on Ms. Sharon Harrup, Executive Director, STEPS, to appear before the Board.

Ms. Harrup came forward and explained that she had requested an appointment with the Board to provide STEPS annual report. Ms. Harrup explained that their program was expanding at a rapid rate and that the had purchased another building. Ms. Harrup provided information as to STEPS progress over the past year and thanked the Board for

helping make this possible. In closing Ms. Harrup thanked the Board for the appointment of Mr. James Smith and explained that Mr. Smith was a valuable asset to them.

Mr. Bosiger thanked and excused Ms. Harrup.

Mr. Bosiger then called for Supervisor Concerns.

Mr. Carwile asked the Board if they felt the September 20, 1999 meeting should be moved to another location?

Mr. Bosiger stated that item number 16 under administrative items were addressing that same issue.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to hold the September 20, 1999 meeting in the high school in order to accommodate a large number of people. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for other concerns.

Mr. Torrence presented the other members of the Board with a handout on debt service. (Handout on file in the County Administrator's Board Book).

Mr. Bosiger called for other comments.

Mr. Carter began that he had visited with the residents on Route 642 and a name had been chosen for this road. Mr. Carter gave the name as Country Estate Road.

Mr. Carter made a motion seconded by Mr. Carwile to name secondary road number 642 Country Estate Road. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then presented a handout that provided his notes from the school tour for the Board to review. (Handout on file in the County Administrator's Board Book).

Mr. Carwile asked why construction was still in progress at the high school on the roof repairs? Mr. Carwile stated that his understanding was the roof repairs would be completed prior to school starting in September 1999.

Mrs. Ferguson stated that she would look into this.

Mr. Bosiger explained that someone had approached him on behalf of Leon Lewis concerning a problem with the installation of a mobile home on a lot. Mr. Bosiger continued that when the Board changed the ordinance to allow only one dwelling per parcel in A-1 Mr. Lewis was caught with a mobile home that he had stationed but had not gotten the permit for and therefore he could not install this unit.

Discussion followed.

After discussion Mrs. Ferguson was asked to check into this and report back at the September 20, 1999 meeting.

Mr. Bosiger then called for a 5-minute recess at 7:30 P.M.

At 7:38 P.M. Mr. Bosiger reconvened the meeting.

Mr. Bosiger asked the other members of the Board if they would begin with the additional items first.

Mr. Bosiger explained that the new Workforce Investment Act was requiring the County designate someone to administer the program for the County. Mr. Bosiger continued that Mrs. Ferguson had met with other managers in the Region 2000 area and they had felt that considering the short time frame for making a decision on this matter that it may be best for this year to remain with the Private Industry Council.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to allow Central Piedmont Private Industry Council to continue to handle the Workforce Investment Act for Appomattox County for another year. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Bosiger next explained that Mr. Bruce Cowan had resigned from the Region 2000 Board due to moving his family to another area. Mr. Bosiger asked if the Board would like to have the County Administrator write Mr. Cowan thanking him for his service to the County? Mr. Bosiger then asked if anyone had an appointment to this Board?

After discussion and by consensus of the Board Mrs. Ferguson was requested to write a letter to Bruce Cowan thanking him for his service on the Region 2000 Board. It was also agreed to hold this for appointment until the September 20th meeting.

Mr. Bosiger then turned the Board's attention to the Planning Commission recommendations from the August 16, 1999 public hearing.

Mr. Carwile made a motion seconded by Mr. Torrence to accept the Planning Commission recommendations and approve the following petitions:

99-393 of Tracie R. Porter for a conditional use permit for home occupation (Small Engine Repair) in accessory building. Property is Tax Map #88-A-21 and 24, located on Route 733 between Route 727 and dead-end and is zoned R-1.

99-394 of James L. Arthur for a conditional use permit for home occupation (gun shop and gunsmith service) in accessory building. Property is Tax Map #76-A-130, located on Route 635 between Route 1057 and Route 695 and is zoned A-1.

99-395 of Harold and Jeanette Cordell to conditional zone property from A-1 to B-1 with conditional use permit for retail nursery and greenhouse. Property is part of Tax Map #88-A-25B located on Route 635 between Route 695 and Route 691.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mr. Carroll would like permission to attend a marketing seminar in Richmond on November 16, 1999 at an approximate cost of $75.00.

Mr. Torrence made a motion seconded by Mr. Carter to allow Mr. Carroll to attend the marketing seminar in Richmond on November 16, 1999 and pay all expenses. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from the Appomattox County Chamber of Commerce for the County to pay for one half of the tourism brochures in the amount of approximately $4000.00.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate up to $4000.00 to pay for one half of the tourism brochures for the Appomattox County Chamber of Commerce. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from the Sheriff's Department for a supplemental appropriation of $10.20 for reimbursement received from the insurance company.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate $10.20 to the Sheriff's budget for reimbursement received. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger presented several requests from the landfill for supplemental appropriations.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate $166,211.00 to the landfill budget to pay for the third payment on the baler building. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate $12,799.41 to pay Hurt & Proffitt for professional services related to the solid waste baler project and $14.99 to office supplies for a reimbursement received. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several requests from the Library for supplemental appropriations.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate the following:

$10.00 to 7301-5401

135.15 to 7301-5414 from the Special Library Fund
86.34 to 7301-5415 for the Summer Reading Program
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request for payment of bills from the Law Library Fund.

Mr. Moore made a motion seconded by Mr. Carter to appropriate $399.90 from the Law Library Fund for the month of September 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request for a resolution of support from the Conservation Land Coalition supporting Virginia Land Conservation Foundation and the need for a dedicated source of state funding for land conservation.

After discussion and by consensus of the Board Mrs. Ferguson was asked to look into this further and report back to the Board.

Mr. Bosiger next presented a request from Social Services that the County participate in the tax-deferred purchase of prior service that Virginia Retirement System is now offering.

After discussion and by consensus of the Board Mrs. Ferguson was instructed to see how much work was involved in providing this benefit and report back to the Board.

Mr. Bosiger explained that the new rates for employee health insurance were enclosed for the Board's review. Mr. Bosiger continued that the Board would need to formally agree to stay with the School Board health insurance carrier for the next year. Mr. Bosiger also asked the Board if they wished to continue to pay the employee's premium? Mr. Bosiger explained that if the Board wished to continue to pay the employees premium they would need to appropriate an additional $29,040.00 from the Trigon Employee Health Care Proceeds.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence that the County continue coverage for health insurance with the School Board and appropriate $21,795.00 from the Trigon Employee Health Care Proceeds to pay the employees part of the insurance premium. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a letter from the Electoral Board with the results of an accessibility survey that they had been asked to complete by the State Board of Elections.

After discussion and by consensus of the Board Mrs. Ferguson was asked to request a copy of the completed surveys from the Appomattox County Electoral Board.

Mr. Bosiger next explained that there were several Board and Committee appointments that needed to be made.

Mr. Torrence made a motion seconded by Mr. Carter to appoint Miss Cameron Mozingo to the Regional Renaissance Steering Committee. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Carwile to appoint Mr. Torrence to the Central Virginia Area Agency on Aging Board of Directors for a term to expire September 30, 2002. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that the Lynchburg Chamber of Commerce was requesting a resolution of support for a task force to pursue expanded passenger rail to our area.

Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, the feasibility of expanded passenger rail service from the Washington, D.C., and Richmond, Virginia, areas to Bristol, Virginia, has been studied and documented by the Virginia Department of Rail and Public Transportation; and

WHEREAS, this passenger rail service would provide an attractive transportation alternative that could lead to economic, tourism, environmental and other social benefits for Appomattox County and its citizens; and

WHEREAS, the Appomattox Board of Supervisors believes this passenger rail service is both cost-effective and consistent with a well-planned, multi-modal transportation system in the Commonwealth of Virginia;

THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors reaffirms its support and endorsement for the provision of passenger rail service from the Washington, D.C., and Richmond, Virginia, areas to Bristol, Virginia and

BE IT FURTHER RESOLVED that the Appomattox County Board of Supervisors encourages the implementation of this rail service and pledges its assistance to the Commonwealth of Virginia in implementing said service.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Bosiger explained that an executive session was necessary to discuss a real estate matter under Section 2.1-344.3(a) and a legal matter under section 2.1-344.7(b).

At 8:45 P.M. Mr. Carwile made a motion seconded by Mr. Moore to enter into executive session to discuss a real estate and legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 9:15 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for action from the executive session.

Mr. Torrence made a motion seconded by Mr. Moore to authorize the County Attorney to sign a consent degree on behalf of the County with Mr. Charles Bub. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business at 9:17 P.M. Mr. Moore made a motion seconded by Mr. Carter to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A special called meeting of the Appomattox County Board of Supervisors was held on September 13, 1999 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Absent:

Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order at 6:30 P.M. and explained that the purpose of the meeting was to make a decision on acquisition of land for public purposes, more specifically, the property owned by Steve Lawson adjacent to the Courthouse Complex. Mr. Bosiger explained that the property consisting of 1.78 acres was to be auctioned off on the Courthouse steps September 14, 1999 at 10:00 A.M. and if the County wished to bid on this property they would need to authorize the County Administrator to do so.

Mr. Carwile made a motion seconded by Mr. Moore to authorize Aileen Ferguson, County Administrator, to bid on the Lawson property adjacent to the courthouse with funds for this purpose coming from the Capital Improvement Fund should the County be successful in their bid. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger explained that an executive session was necessary to discuss a real estate matter under Section 2.1-344.3(a).

At 6:43 P.M. Mr. Carwile made a motion seconded by Mr. Moore to enter into executive session to discuss a real estate matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

On a motion by Mr. Carwile at 6:55 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

On a motion by Mr. Carwile seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard;

discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger called for action from the executive session.

Hearing none, at 7:00 P.M. Mr. Carter made a motion seconded by Mr. Moore to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on September 20, 1999 at 6:00 P.M. in the Auditorium of Appomattox County High School, Route 727, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and delivered the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Moore made a motion seconded by Mr. Torrence to adopt the minutes of the regular meetings of August 2, 1999 and August 16, 1999, the recessed meetings of August 10, 1999, and August 16, 1999, and a public hearing of August 16, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented the bills for September 20, 1999 for approval.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the bills for September 20, 1999 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the first item under Administrative Items was the decision on the elementary school. Mr. Bosiger continued that each Supervisor would be allowed five minutes for comment and then the Chair would entertain a motion.

Mr. Carwile asked if each Supervisor could have several minutes of rebuttal?

By consensus the other members of the Board agreed that would be appropriate.

Mr. Carwile began that he had a concern with the Carver Price School and the fact that there was no black representation on the Board of Supervisors but they still had to pay taxes. Mr. Carwile continued that this issue created a dilemma with the zero hour for making a decision whether to renovate or build new. Mr. Carwile stated that he felt this was the most expensive concern to ever come before the Board. Mr. Carwile continued that this was a "no win", "Catch 22", situation. Mr. Carwile stated that he felt the Board must act in good faith for the taxpayer and then trusts the people to understand. Mr. Carwile asked the other members of the Board to stand united once the decision had been made. Mr. Carwile stated some of the comments that he had been hearing in the community and answered these comments. Mr. Carwile asked the other members of the Board not to act too fast. He cautioned that if the Board could save three million dollars by renovating then that should be the decision that was made. Mr. Carwile stated that he was deeply concerned with the possibility of the legislature allowing citizens vouchers to educate their children in private schools and what impact that would have on our school population. Mr. Carwile continued that because of this he would entertain a motion to put this matter on hold, take care of the electrical problems, air conditioning, etc. at the present elementary school and wait to see what happens. Mr. Carwile then thanked everyone for his or her input. He continued that he has been open-minded and that his vote will not please all. Mr. Carwile stated that he would like to make a few points. Number one is that he was committed and concerned about education of the children but he did not feel the Board could build a new school with a credit card. Mr. Carwile continued that if we are concerned with a better education that maybe a homework hotline with teachers names, telephone numbers, etc. published in the paper would help. Mr. Carwile stated that his second thought was do we really need a new school? Mr. Carwile asked would the shine of a new school educate our children? Mr. Carwile stated that a new building would not influence the S.O.L.'s only by better teachers, etc. Mr. Carwile in closing stated that he had listened to concerns with safety from teachers and felt that there was a deeper rooted problem on Route 691 because of the pipeline. Mr. Carwile closed by saying that safety must be considered.

Mr. Torrence began by saying that our purpose was to provide the best education for the children. Mr. Torrence continued that the Board had to satisfy two groups, the children and the taxpayers. Mr. Torrence stated that after two years of review he could give at least one hundred good reasons why to build new and only a few to renovate. Mr. Torrence stated that he did not feel that safety could be improved on the present site, you could not eliminate the five different levels in the school and you could not help the school becoming a tourist stop on the Civil Rights in Heritage Trail. Mr. Torrence stated that the uppermost concern for him was that there was no safe place for the children to go during renovation. Mr. Torrence provided information on the tax rate increase over the last few years. Mr. Torrence continued that in the past the Board has been good stewards of the money by starting a Capital Improvement Fund and planning for the future. Mr. Torrence in closing asked the other members of the Board to make an educational decision that all could be proud of and build a new elementary school.

Mr. Moore began that he was not a speaker but he would like to say up front that he would have to listen to the people. Mr. Moore continued that outside of teachers ninety percent of the people who had contacted him were for renovation. Mr. Moore continued by listing some of the problems that he been mentioned to him with the present facility and explained how each of these could be corrected with renovation. In closing Mr. Moore stated that he would have to represent the people in his area and the rest of the County and vote for renovation.

Mr. Carter began by thanking the members of the site committee for their time and effort in reviewing all the sites. Mr. Carter then thanked the citizens for their input. Mr. Carter stated that the children should come first. Mr. Carter continued that the figures showed that renovation was just as costly as new construction and with no plans and no real figures you had to trust the estimates that had been provided. Mr. Carter also stated that he felt this decision needed to be made and that he could not absorb anymore facts concerning this matter. In closing Mr. Carter praised Blair Smith and Earl Dickerson for all the work they had done with this project. Mr. Carter stated that the telephone calls that he had received from the Courthouse District were asking him to vote for a new school.

Mr. Bosiger began by thanking everyone for his or her calls and letters concerning this most difficult decision. Mr. Bosiger continued that this was not a clear-cut issue and that both sides of the issue made very good points. Mr. Bosiger stated that as he saw it there were three problems that the Board had to consider in making this decision. Number one was the use of the old school if a new school were built. Mr. Bosiger continued that he had met with a group of citizens who were prepared with a plan and private money to begin a project to use the old school for worthwhile purposes. The second issue was the cost of the project. Mr. Bosiger explained that he had read in the newspaper that Campbell County had recently built a 750-student school for less than what the projected cost was for our 600-student school. Mr. Bosiger felt that if the Board were willing to place a cap on the new school he could live with that. Third Mr. Bosiger stated that traffic was a problem. In closing Mr. Bosiger stated that if the Board could address these issues he could support a new school.

Discussion followed concerning the cap that would be placed on new construction.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to build a new elementary school on a new site with a proposed cap of nine million dollars.

Mr. Carwile stated that if the Board were going in this direction then they should consider the needs assessment and look to the future. Mr. Carwile stated that he felt the Board should look into constructing an 800-student school to meet the future needs at the Primary School.

Mr. Torrence stated that there had been a world of uses proposed for the present elementary school. Mr. Torrence continued that he did not feel placing a cap on the funding for the new elementary school would hurt the project.

Mr. Moore stated that if a new school were built someone should make sure that the cafeteria was large enough to avoid the problem we are presently facing at the Middle School.

Mr. Carwile stated that the majority of people that he spoke with that wanted a new school were from the school system. Mr. Carwile continued that renovation was from the voice of the people in the outlying areas.

Mr. Bosiger then called for a vote:

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, nay; Mr. Moore, nay; and Mr. Torrence, aye.

At 6:50 P.M. Mr. Carter made a motion seconded by Mr. Moore to recess to the Courthouse and reconvene the meeting after the zoning public hearing. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger reconvened the meeting at 7:28 P.M. and noted that Mr. Moore was in the Planning Commission meeting.

Mr. Bosiger then explained that due to the reports concerning Hurricane Floyd's path the Emergency Services Coordinator had recommended declaring a local emergency in order to open an emergency shelter. Mr. Bosiger explained that as Director of Emergency Services he had proceeded with the declaration and now the Board needed to formally adopt a resolution declaring a local emergency.

Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following resolution:

Resolution declaring a local emergency to exist in Appomattox County, Virginia

WHEREAS, the Board of Supervisors of the County of Appomattox, Virginia, does hereby find as follows:

1. That due to the occurrence of Hurricane Floyd, the County of Appomattox is facing a condition of extreme peril to the lives, safety and property of the residents of Appomattox County;
2. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Appomattox, Virginia, that a local emergency now exists throughout the County of Appomattox; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services organization and functions of the county of Appomattox shall be

those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the County of Appomattox in order to mitigate the effects of said emergency.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there were several committee/board appointments that were necessary.

After discussion and by consensus of the Board it was agreed to hold these appointments until the next meeting.

Mr. Bosiger next presented several supplemental appropriation requests for Board approval.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $5,504.02 to pay Fauber Architects for services provided on the elementary school project. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate $120,272.00 to make the 4th payment on the baler building. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mr. Dickerson, Hurt & Proffitt, Inc. wished to speak with the Board concerning a change order that was necessary on the baler building.

Mr. Dickerson explained that the electrical system that was designed for the baler building was designed for the worse case scenario. Mr. Dickerson continued that after the baler bid was accepted the breaker and wiring that was proposed for the new building was too large and would have to be down sized. Mr. Dickerson explained that this would require approximately a $1610.00 change order.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to approve the change order to the electrical system in the new baler building in the amount of $1610.00 provided Mr. Dickerson checks out other alternatives and this is the only option. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the County had been successful in purchasing the Lawson property adjacent to Courthouse Square and that the funds need to be appropriated from the Capital Improvement Fund to pay for this property.

Mr. Carwile made a motion seconded by Mr. Carter to appropriate $125,000.00 from the Capital Improvement Account to purchase the Lawson property adjacent to the Courthouse Square. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that VACO was recommending that the County adopt an electric utility license tax ordinance. Mr. Bosiger explained that this tax would be imposed by the State and if the localities did not have an ordinance inn place their share of these funds would go to the State.

Mr. Torrence made a motion seconded by Mr. Carter to advertise a public hearing in order to adopt the electric utility license tax. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the VDOT work session on the Six-Year Plan would be held on October 25, 1999 at 6:00 P.M. at the VDOT Residency Office in Appomattox. Mr. Bosiger continued that the public hearing on the Six-Year Plan would be held on December 6, 1999 at 6:00 P.M. in the Courthouse.

Mr. Bosiger then presented a request from the Virginia Chapter of the American Planning Association for a resolution of support for their efforts.

Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, November 8th 1999 is the 50th Anniversary of WORLD TOWN OF PLANNING DAY; and

WHEREAS, November 8th of each year has been celebrated as World Town Planning Day in many countries since its inception in 1949; and

WHEREAS, The American Institute of Certified Planners (AICP) acting for the 11, 000 member of the planning profession in America, a component of the 30,000-member American Planning Association, endorses World Town Planning Day as an opportunity to highlight the contributions sound planning makes to the quality of our settlements and environment and to celebrate American accomplishments in making collective decisions concerning our cities and regions that bring quality and meaning to our lives; and

WHEREAS, the celebration of World Town Planning Day gives us the opportunity to publicly recognize the participation and dedication of the members of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the County; and

WHEREAS, We recognize the many valuable contributions made by professional community and regional planners of the County of Appomattox and extend our heartfelt thanks for the continued commitment to public service;

NOW THEREFORE, BE IT RESOLVED THAT, November 8th, 1999 is hereby designated as

COMMUNITY AND REGIONAL PLANNING DAY

In the County of Appomattox in conjunction with the worldwide celebration of WORLD TOWN PLANNNIG DAY.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next presented an invitation from Ray Servis for the Board to attend a breakfast in honor of Watkins Abbitt, Jr. and Richard Holland at the Moose Lodge on October 4, 1999 at 8:00 A.M. Mr. Bosiger explained that Mr. Servis needed to know how many members would be attending.

Everyone except Mr. Carter stated that they would be able to attend the breakfast on October 4, 1999.

Mr. Bosiger then presented a request from W. M. Caldwell that he be allowed to attend the annual Virginia Building Code Officials Association meeting.

Mr. Torrence made a motion seconded by Mr. Carwile to approve for Mr. Caldwell to attend the annual Virginia Building and Code Officials Association meeting on October 31 – November 2 at an approximate cost of $300.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Hurt & Proffitt had submitted their bill for charges for the work they had performed on the elementary school project.

Mr. Carter made a motion seconded by Mr. Torrence to approve $7,510.87 and appropriate the same to pay Hurt & Proffitt for services provided for the elementary school project. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next presented the bids that were received for the work on the Health Department roof and the County Administration Building roof. Mr. Bosiger explained that Mrs. Ferguson was recommending the Board except the low bid from J. E. Jamerson in the amount of $113,950.00 plus the asbestos disposal at approximately $5,000.00.

Mr. Carwile made a motion seconded by Mr. Torrence to accept the bid for replacement of the roof on the Health Department and the County Administration building from J. E. Jamerson in the amount of $113,950.00 plus approximately $5,000.00 for asbestos disposal. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented the contract from Craddock Cunningham Architectural Partners for services in connection with the addition to the Sheriff's Office.

Mr. Carwile made a motion seconded by Mr. Torrence to accept Craddock Cunningham's contract in the amount of $18,000.00 for architectural services in connection with the addition to the Sheriff's Department. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Discussion followed as the proposed design for the Sheriff's Department addition.

After discussion and by consensus of the Board it was agreed to invite Mr. Craddock to meet with the Board to discuss the design for the Sheriff's Office addition.

Mr. Bosiger then asked if the Board would like to recess for five minutes.

At 8:00 P.M. the Board recessed for approximately five minutes.

At 8:15 P.M. Mr. Bosiger reconvened the meeting.

Mr. Moore joined the meeting.

Mr. Bosiger explained that Mr. William Stratton had requested the Board to act on his zoning petition at this meeting.

Mr. Moore explained that the Planning Commission had recommended approval of Mr. Stratton's petition.

Mr. Moore made a motion seconded by Mr. Torrence to approve petition number 99-397 of William A. and Arlene P. Stratton to rezone property from A-1 to M-1 with conditional use permit for manufacturing musical instruments. Property is Tax Map No. 76-A-158 located on Route 635 between Route 1101 and Business 460. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked Mr. Caldwell if he could meet with the Board to discuss Mr. Leon Lewis request to place additional mobile homes on his property zoned A-1 and located on Route 60.

Mr. Caldwell explained the facts concerning Mr. Lewis' request as he knew them and various options were discussed as to what Mr. Lewis could do to meet the requirements of the ordinance. Mr. Caldwell explained that what Mr. Lewis wished to do did not meet the requirements of the ordinance prior to the change that the Board approved.

Being no further business Mr. Bosiger explained that an executive session was necessary to discuss the acquisition of real estate under section 2.1-344.3(a).

At 8:32 P.M. Mr. Carwile made a motion seconded by Mr. Torrence to enter into executive session to discuss a real estate matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 9:07 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for action from the executive session.

Being none, Mr. Carter made a motion at 9:08 P.M. seconded by Mr. Moore to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on September 20, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Planning Commission):

Al Sears
Calvin Tanner
Marvin Mitchell
Kevin O'Brien
Claude Allen Moore
Jim Sefter

Russell Moore

Absent (Planning Commission):
Robert Johnson
Elizabeth Edwards
Wayne Lewis

Present (Board of Zoning Appeals):
Matt Lair
James Cheatham
Cliff Harvey
Dale Campbell

Absent (Board of Zoning Appeals):
Elizabeth Edwards

Also Present:
Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney
Mr. Caldwell – Clerk – Planning Commission

Mr. Bosiger called the public hearing to order at 7:05 P.M. stated the purpose of the hearing was to receive public comment on several zoning petitions and gave the procedure for addressing comments.

Mr. Bosiger then called on Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 99-396 of Robert C. Stephens for a variance to paragraph 170-80-A of Appomattox County Zoning Ordinance pertaining to side yard setback. Property is Tax Map No. 76-A-163 located on Business 460 between Route 635 and Route 460 and is zoned A-1.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-397 of William A. and Arlene P. Stratton to rezone property from A-1 to M-1 with Conditional Use Permit for manufacturing musical instruments. Property is Tax Map No. 76-A-158 located on Route 635 between Business 460 and Route 1101.

Mr. Bosiger called for comments on this petition.

Mr. Mario Luongo came forward and gave his address as Route 2 Box 187. Mr. Luongo stated that he has seen Mr. Bryans work and that this business would be a credit to the community.

Mr. Bosiger called for other comments.

Mr. Howard Bryan came forward and gave his address as Route 2, Concord, Virginia. Mr. Bryan stated that he was in need of expanding his business of restoring and repairing harps. Mr. Bryan stated that he had understood that there were some concerns with the number of tractor trailers that his business might attract to this site and he explained that that their would be a very few. Mr. Bryan continued that one entire year's production would fit in one trailer.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-398 of Doris K. Maxwell to rezone property from R-2 to Commercial (B-1). Property is Tax Map No. 60A-4-10 (Dogwood Hill Section II Subdivision, Lot 10) located on Route 460 between Route 609 and Route 667.

Mr. Bosiger called for comments on this petition.

Mr. Tom Connelly came forward gave his address as Route 2, Spout Spring and stated that he was speaking for Century 21 All Service. Mr. Jeff Lewis also came forward and gave his address as Concord, Virginia. Mr. Lewis stated that he wanted to open a martial arts studio for karate training and that was the reason for the rezoning request.

Mr. Bosiger called for other comments.

Mr. Milton Staples came forward and gave his address as Concord, Virginia. Mr. Staples stated that he would like to see this petition approved.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 99-399 of David Lynn Witt for a conditional use permit for home occupation (firearm dealership) in accessory building. Property is Tax Map No. 85-A-4C located on Route 652 between route 648 and Route 606 and is zoned A-1.

Mr. Bosiger called for comments on this petition.

Mr. Gene Rasmussen came forward and gave his address as Route 1 Box 1870A, Appomattox, Virginia. Mr. Rasmussen continued that he had a few questions concerning this requests and therefore he was opposed to the petition.

Mr. Bosiger called for other comments.

Hearing none, and being no further petitions, Mr. Bosiger declared the public hearing closed at 7:18 P.M.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on October 4, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and asked Mr. Carter to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carter noted several typographical errors for correction.

Mr. Carter made a motion seconded by Mr. Torrence to approve the minutes of the regular meetings of September 7, 1999 and September 20, 1999; the recessed meetings of August 23, 1999, August 30, 1999; a special meeting of September 13, 1999 and a public hearing of September 20, 1999 as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of the bills.

Mr. Torrence made a motion seconded by Mr. Carwile to approve the bills of October 4, 1999 for payment. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Mr. William S. Slagle, Chairman, I.D.A. to appear before the Board.

Mr. Slagle began that he wanted to provide a progress report for the industrial park. Mr. Slagle stated that the County has received notice that an E.D.A. grant in the amount of $800,000.00 has been approved. Mr. Slagle continued that this grant will be used to put the infrastructure in place to the first phase of the industrial park. Mr. Slagle continued that the final engineering plans were almost complete and were under final inspection by the appropriate parties. Mr. Slagle continued that an archeological study was being performed on the site at the present time in order to comply with certain E.D.A. requirements. Mr. Slagle explained that most of the necessary right of way's for the access road had been obtained. Mr. Slagle stated that once the above items were underway the I.D.A. would begin a strong marketing program. Mr. Slagle stated that this completed his report and that he was willing to answer any questions of members of the Board.

Mr. Carter thanked the I.D.A. for all their hard work in getting the industrial park off the ground.

Mr. Bosiger and the other members of the Board echoed Mr. Carter's comments.

Mr. Bosiger thanked and excused Mr. Slagle and called on Mr. Rex Hammond, President, Greater Lynchburg Chamber of Commerce to appear before the Board.

Mr. Bosiger explained that there were two letters that were not in the Board Book that pertained to Mr. Hammonds request.

Mr. Hammond then provided another handout for the Board to review.

Mr. Hammond began by thanking the Board for allowing him to come before them to make his presentation. Mr. Hammond explained that hiring, training and keeping good employees was sometimes a problem for employers in Region 2000. Mr. Hammond explained that he felt that training was the key to a healthy workforce and a vibrant economy. Mr. Hammond then explained that the Greater Lynchburg Chamber of Commerce felt that under the Workforce Investment Act the Region 2000 area would be better served by forming it's own group instead of continuing with the Central Piedmont Private Industry Council. Mr. Hammond continued with why he felt this would be a better choice for Region 2000. Mr. Hammond then offered to answer any questions the members of the Board might have.

Questions and comments followed.

Mr. Bosiger then thanked and excused Mr. Hammond and called upon Mr. Ted Simpkins, Executive Director, Central Piedmont Private Industry Council to appear before the Board.

Mr. Simpkins began that he was in agreement with Mr. Hammond on his concept of how the new Workforce Investment Act worked. Mr. Simpkins then provided reasons why he did not feel that the Region 2000 area was a viable alternative to the present area

represented by Central Piedmont Private Industry Council. Mr. Simpkins then offered to answer any questions of the members of the Board.

Questions and comments followed.

Mr. Bosiger then thanked and excused Mr. Simpkins and called on Mr. F. Edward Williams, Jr., Executive Director for Independent Living to appear before the Board.

Mr. Williams came forward and provided the Board members with handouts that explained what services the Lynchburg Area Center for Independent Living provided for the area. Mr. Williams then provided information on the activities of the Lynchburg Area Center for Independent Living. In closing Mr. Williams explained that his reason for coming before the Board was to request funding in order that they could provide services to a broader area.

Mr. Bosiger explained that the Board would begin work on the budget after Feburary 2000 and that Mr. Williams' request would be considered at that time.

Mr. Bosiger thanked and excused Mr. Williams and asked Ms. Sandra Lindsay, VDOT, Resident Engineer to appear before the Board.

Ms. Lindsay began that she did not have anything for the Board except to remind them of a work session that has been scheduled for October 26, 1999 at 6:00 P.M. in the Appomattox Residency Office on the Six Year Plan for Secondary Roads. Ms Lindsay then provided information concerning WATCH FOR CHILDREN signs for the Board to review.

Mr. Bosiger then thanked and excused Ms. Lindsay.

Mr. Bosiger next called for Supervisor Concerns.

Mr. Bosiger stated that he would like to start off by asking the Board to look under Administrative Items, item two. Emergency Operations Plan Supplement. Mr. Bosiger explained that as Emergency Services Director he was serving on a Public Safety Committee working with the Y2K problem for Appomattox County. Mr. Bosiger continued that accordingly a Y2K Contingency Plan had been drafted that needed to be approved and adopted by the Board as an addendum to the Emergency Operations Plan. Mr. Bosiger stated that at the last meeting of the Public Safety Committee it was decided that an emergency number needed to be installed that would be used during emergency situations that would not tie up regular lines at the Sheriff's Office. Mr. Bosiger explained that the committee felt this number should be installed immediately in order for people with questions or concerns that may be caused by the Y2K issue could call to have their questions answered. Mr. Bosiger stated that this number should be in service from now until after January 1, 2000. Mr. Bosiger also stated that the Sheriff's Office was presently serving as the Emergency Operations Center and that he hoped that during

the renovation process an area could be specifically designated as the EOC instead of using the present deputy's office area.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $292.30 to install an emergency line to be used during declared disasters and from now until the end of the year for Y2K questions. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to adopt the Emergency Operations Plan Supplement dealing with Y2K. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye. (A copy of the plan is attached to the Emergency Operations Plan.)

Mr. Bosiger then asked the Board to act on the Planning Commission recommendations from the September 20, 1999 public hearing.

Mr. Moore made a motion seconded by Mr. Torrence to approve petition number 99-399 of David Lynn Witt for a conditional use permit for home occupation (firearms dealership) in accessory building. Property is Tax Map No. 85-A-4C located on Route 652 between Route 648 and Route 606 and is zoned A-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an appointment was still needed for the Region 2000 Board of Directors replacing Bruce Cowan.

Mr. Carter stated that he had a recommendation for the Board to consider. Mr. Carter continued that the person was a local business owner who was very interested in the County and was willing to serve on this Board. Mr. Carter then recommended Mr. Claude Allen Moore for appointment to the Region 2000 Board of Directors.

Mr. Bosiger asked if there were any other recommendations for appointment to this Board?

Hearing none, Mr. Bosiger asked if Mr. Carter would like to make his recommendation in the form of a motion?

Mr. Carter made a motion seconded by Mr. Carwile to appoint Mr. Claude Allen Moore to the Region 2000 Board of Directors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there were any suggestions for citizens to serve on America's Promise Steering Committee or the Central Virginia Area Agency on Aging Advisory Board?

Hearing no suggestions, Mr. Bosiger asked that these appointments be placed on the agenda for the October 18, 1999 meeting.

At 7:33 P.M. Mr. Bosiger stated the Board would like to take a ten minute recess.

At 7:43 P.M. Mr. Bosiger reconvened the meeting.

Mr. Bosiger explained that there were several supplemental appropriation requests for Board's action.

Mr. Moore made a motion seconded by Mr. Carter to appropriate $8,227.73 to 4204-3002 to pay engineering fees pertaining to the baler project. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $3,350.00 to pay for preparing bid documents for the articulating loader and the roll-off truck. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate the following:

$ 32.81 to 5309-5401
68.00 to 7301- 5413 from the Summer Reading Program
426.60 to 7301-5414 from the Special Library Fund
319.18 from the Law Library Fund

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate $4828.33 to 1101-3002 to pay professional fees related to the elementary school project. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate $972.31 to 4204-3002 to pay for stone used in trench "I" for gas vents. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $145,846.50 to make final payment on the baler. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate $24.77 from Comprehensive Services Act administrative funds. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carter to appropriate $7,762.83 from the athletic fund for the month of October 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mr. Mays was requesting approval for he & one deputy to attend the Commissioners of the Revenue Association annual meeting at an approximate cost of $850.00.

Mr. Moore made a motion seconded by Mr. Torrence to approve for Mr. Mays and a deputy to attend the Commissioners of the Revenue Association annual meeting at an approximate cost of $850.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Mrs. Ferguson had researched the paper work involved in offering the tax deferred purchase of prior service from Virginia Retirement System and had found that there was not an excessive amount of paperwork involved.

Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution: WHEREAS, the County of Appomattox desires to provide its employees with tax deferral pursuant to 410 (h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System, the State Police Officers Retirement System and the Judicial Retirement System (collectively referred to as VRS) for the permissible purchase of past service credit by picking up member contributions to the VRS; and

WHEREAS, the pick up is authorized under Virginia Code Sections 51.1-142.I and 51.1-143.C;

WHEREAS the VRS keeps track of such picked up member contributions, and is prepared to treat such contributions as employee contributions for all purpose of VRS;

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first pay day on or after the later of October 4, 1999 or the date the member executes a binding and irrevocable salary reduction election relating to the past service permitted to be purchased, the County of Appomattox shall pick up all or a portion of the member contributions of its employees to VRS based on the terms of the salary reduction election, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and it is further

RESOLVED, the binding salary reduction election to be executed by the member shall include the following: (1) the beginning and ending date of the election, (2) the amount of the salary reduction of a pay period by pay period basis, (3) the total amount of contribution expected to be involved, (4) a statement that the member may not receive the contributed amounts instead of having them paid by the County of Appomattox to the VRS, and (5) an agreement that the member will not purchase the service credit through a lump sum payment during the period in which the salary reduction election is in effect, and it is further

RESOLVED, the member may revoke the salary reduction election only in the event of an unforeseeable emergency as that phrase is used and defined in IRC Section 457 and Treasury Regulation Section 1.457.2(h)(4) and if such a revocation is made, the member may not make a new salary reduction election during his period of employment, and it is further

RESOLVED that such contributions, although designated as member contributions are to be made by Appomattox County in lieu of member contributions; and it is further

RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED that member contributions made by the County of Appomattox under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is further

RESOLVED that nothing herein shall be constructed so as to permit or extend an option to VRS members to receive the pick up contributions made by the County of Appomattox directly instead of having them paid to VRS; and it is further

RESOLVED that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the County of Appomattox shall be reduced by the amount of member contributions picked up by the County of Appomattox on behalf of such employee pursuant to the foregoing resolutions.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Board needed to set a date for refining the financial forecast in order for Steve Jacobs to finish his work and make his presentation.

After discussion and by consensus of the Board it was agreed to discuss this matter on October 18, 1999 at 6:00 P.M.

Mr. Bosiger next explained that Mr. Carroll had presented him with an agreement concerning the EDA grant that needed to be passed. Mr. Bosiger asked the Board to adopt the agreement.

Mr. Torrence made a motion seconded by Mr. Moore to adopt the EDA Financial Assistant Award Agreement.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented requests for approval to attend convention/education seminars.

Mr. Carter made a motion seconded by Mr. Torrence to approve for Mrs. Ferguson to attend a Local Government Risk Control Conference in Richmond at an estimated cost of $120.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Moore to approve for Mr. Carroll to attend the National Association of Development Organizations Research Foundations conference at an approximate cost of $150.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Board needed to appoint Mr. Carroll or Mrs. Ferguson to vote their proxy at the Annual Conference.

Mr. Torrence made a motion seconded by Mr. Carter to allow either Mrs. Ferguson or Mr. Carroll to vote Appomattox County's proxy at VACo's Annual Conference. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then went over the information items in the Board Book.

Mr. Bosiger explained that an executive session was necessary to discuss a personnel and legal matter under Section 2.1-344.

At 8:07 P.M. Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session to discuss a personnel and legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 9:35 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for action from the executive session.

Hearing none, Mr. Bosiger asked if there was any other business that needed to be acted on?

Mr. Torrence made a motion seconded by Mr. Carter to stay with the Central Piedmont Private Industry Council for administrative services related to the Workforce Investment Act. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Torrence to adjourn at 9:43 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on October 18, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 6:00 P.M. and asked Mr. Torrence to deliver the invocation.

Mr. Bosiger next asked the Board if they were prepared to approve the bills for October 18, 1999?

Mr. Carter made a motion seconded by Mr. Carwile to approve the bills for October 18, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Board had set this time to review and revise the draft financial forecast provided by Steve Jacobs of Robinson Farmer Cox.

A lengthy discussion followed.

After discussion and several items being changed the Board of Supervisors by consensus agreed that Mr. Jacobs could present the final document on November 15, 1999.

Mr. Bosiger next called on Mr. Wayne Phelps to appear before the Board.

Mr. Phelps came forward and stated that he had two reasons for asking to talk with the Board. Mr. Phelps continued that the first thing was to ask the Board if the Flood family could place a marker on the grounds outside the mausoleum. Mr. Phelps explained that this would be a small granite marker with a plaque on it with the names of the people who were buried there. Mr. Phelps also explained that he would like to place a granite plaque behind the statue with the names of the confederate soldiers from Appomattox who served. Mr. Phelps stated that these two markers would be installed at no cost to the County.

Mr. Carwile made a motion seconded by Mr. Moore to allow a marble monument be placed at the Flood Mausoleum and that a plaque be placed behind the statue with the names of units from Appomattox County who participated. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Mr. Phelps.

Mr. Bosiger then called for Supervisor Concerns.

Mr. Carter reminded the Board that in the VACo bulletin there was an article on 1205 landfills. Mr. Carter stated that he was concerned with some of the proposed legislation concerning 1205 landfills.

Discussion followed.

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson draft a letter from the Board to all of our legislators explaining our concerns and asking that they follow closely any legislation that would affect 1205 landfills.

Mr. Bosiger then explained that Mr. Frank Mara has requested that the Board grant permission for WATCH FOR CHILDREN signs to be placed on Route 724 with the understanding that Mr. Mara will pay for the signs and installation.

Mr. Torrence made a motion seconded by Mr. Moore to adopt the following resolution:

WHEREAS, the Appomattox County Board of Supervisors acknowledges the need to provide a safe environment for our children, and

WHEREAS, Mr. Frank Mara has approached the Board of Supervisors with concerns for the need for WATCH FOR CHILDREN signs on Route 724; and

WHEREAS, Mr. Mara has agreed to bear the cost for the signs and installation,

NOW THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors is requesting Virginia Department of Transportation to pursue the installation of WATCH FOR CHILDREN signs on secondary Route 724.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next asked the members of the Board if November 20, 1999 was convenient for a joint meeting with the Town Council? Mr. Bosiger stated that he had a conflict on the 20th and would like to see an alternate date chosen.

After discussion and by consensus of the Board it was agreed to meet with the Town Council on November 6th at 7:30 A.M. at the Town Office.

Mr. Bosiger then asked the Board if they wished to do an add on to the bid for roof replacement at the County Administration building to replace the present roof with a sloping roof? Mr. Bosiger explained that the estimated cost for this change was $10,000.00.

After discussion Mr. Carter made a motion seconded by Mr. Moore to stay with the roof replacement as originally bid. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that there were several supplemental appropriation requests that needed action.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $2500.00 to the Commissioner of Revenue's FY2000 budget to replace a microfilm reader. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate $79.21 to 3102-1002 for reimbursement received. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $2000.00 from the Special Library fund, and $500.00 from the Summer Reading program, and $48.00 for reimbursement received to 7301-5411. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger stated that there were two part-time positions vacant at the landfill and asked if the Board wished to interview for these positions or if they wished for Mrs. Ferguson to go ahead and hire the most qualified?

After discussion and by consensus of the Board it was agreed for Mrs. Ferguson to proceed with filling these two vacant positions.

Mr. Bosiger next asked if anyone had a suggestion for an appointment to America's Promise Steering Committee.

This item was held over until the November 1, 1999 meeting.

Mr. Bosiger asked if anyone had an appointment for the Central Virginia Area Agency on Aging Advisory Board? Mr. Bosiger explained that two people were needed for this Board.

Mr. Carter stated that he would like to suggest Mrs. Jennie Fratrick for one of these positions.

Mr. Bosiger asked for other nominees.

Hearing none, Mr. Carter made a motion seconded by Mr. Moore to appoint Mrs. Jennie Fratrick to the Central Virginia Area Agency on Aging Advisory Board. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked that the second appointment for the CVAAA Advisory Board be placed on the agenda for the November 1, 1999 meeting.

Mr. Bosiger then explained that there needed to be some discussion concerning the tire operation that was presently located at the landfill. Mr. Bosiger asked if the Board wished to discuss this in executive session?

By consensus of the Board it was agreed to discuss the details of the contract with Emanuel Tire of Virginia in executive session.

Mr. Bosiger then explained that the Board would need to recess at 6:55 P.M. until after the zoning public hearing.

Mr. Bosiger reconvened the meeting at 7:20 P.M. after the public hearing.

Mr. Bosiger began by saying that the next item on the agenda was the selection of a site for the new elementary school. Mr. Bosiger continued that he would like to state that he did not have a conflict of interest when it comes to any property that the site selection committee may recommend. Mr. Bosiger continued that there was a perception in the community by some people that he does have a conflict of interest. Mr. Bosiger stated that his integrity while serving on the Board had never been questioned before but since some people perceived a conflict with this matter he would be abstaining from discussion and voting on the issue of the site for the new elementary school.

Mr. Bosiger then called for discussion on the issue of a site for the elementary school.

Mr. Carter made a motion seconded by Mr. Torrence that the Board of Supervisors purchase the Bryant site located on Route 691 for the new elementary school at the price that has already been established, as recommended by the Site Selection Committee.

Mr. Torrence provided a handout with the pros and con's on the two sites that have been evaluated. Mr. Torrence then went over this handout. Mr. Torrence stated that he felt the study was comprehensive and that he was confident with the information provided by

Hurt & Proffitt concerning the two sites. Mr. Torrence went on to say that Hurt & Proffitt had recommended the Bryant site. In closing Mr. Torrence stated that there was no reason not to accept the committee's recommendation.

Mr. Carwile began that this had been a difficult time for the Appomattox County Board of Supervisors. Mr. Carwile continued that now that the decision had been made to build a new school it was for all the members of the Board to accept that decision and select a site. Mr. Carwile stated that he took exception to some of the things that have been said. Mr. Carwile continued that he was not sure that the positive side of the Courtland site had been presented. Mr. Carwile stated that he wanted to be sure to do the right thing but that he had some questions and therefore he had been instrumental in having Mr. Moore placed on the site committee. Mr. Carwile asked Mr. Moore if he had anything that he wanted to say concerning the Courtland site?

Mr. Moore stated that he did not have any comments at this time.

Mr. Bosiger called for other discussion.

Hearing none, Mr. Bosiger called for the vote.

Vote: Mr. Carwile, no; Mr. Torrence, yes; Mr. Carter, yes; Mr. Moore, no; Mr. Bosiger abstained.

Mr. Bosiger stated that the motion did not pass.

Mr. Carter made a motion seconded by Mr. Moore to purchase the Courtland property on Lee-Grant Avenue at the discussed price for the new elementary school in order to move the project forward and not continue to hold the children hostage.

Mr. Bosiger then called for discussion.

Mr. Moore reviewed his findings concerning the Courtland site. Mr. Moore also presented cost savings involved with purchasing the Courtland site.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger called for a vote.

Vote: Mr. Carwile, yes; Mr. Torrence, no; Mr. Moore, yes; Mr. Carter, yes; Mr. Bosiger, abstained.

Mr. Bosiger called for a recess at 7:43 P.M.

Mr. Bosiger reconvened the meeting at 7:55 P.M.

Mr. Bosiger then asked the Board if they would act upon the Planning Commission recommendations in order to help the petitioners move the process along?

Mr. Carwile made a motion seconded by Mr. Torrence to accept the Planning Commission's recommendation and approve petition 99-401 of Zane and Karla Summers for a conditional use permit to allow additional dwelling on single lot in A-1 zoning district. Property is part of Tax Map No. 19-A-4B and is located on Route 611 between Route 611 and Route 686. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to approve petition number 99-400 of Evie G. Harris for a conditional use permit to allow additional dwelling on single lot in A-1 zoning district. Property is Tax Map No. 53-A-14 and is located on Route 616 between Route 24 and Route 631. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an executive session was necessary to discuss a legal matter.

At 8:10 P.M. Mr. Moore made a motion seconded by Mr. Carter to enter into executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 8:40 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was any action from the executive session?

Hearing none, Mr. Moore made a motion seconded by Mr. Torrence to adjourn at 8:41 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

CHAIRMAN, GARET K. BOSIGER

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on October 18, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Planning Commission):

Al Sears
Jim Sefter
Calvin Tanner
Kevin O'Brien
Wayne Lewis
Russell Moore
Robert Johnson

Absent (Planning Commission):

Claude Allen Moore
Elizabeth Edwards
Marvin Mitchell

Present (Board of Zoning Appeals):

James Cheatham
Dale Campbell
Cliff Harvey
Matt Lair

Absent (Board of Zoning Appeals):

Elizabeth Edwards

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Mr. Caldwell – Clerk- Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. and explained the purpose of the hearing was to receive public comment on several zoning petitions. Mr. Bosiger then explained the process for addressing comments to the Board.

Mr. Bosiger then called on Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition number 99-400 of Evie G. Harris for a conditional use permit to allow additional dwelling on single lot in A-1 zoning district. Property is Tax Map No. 53-A-14 and is located on Route 616 between Route 24 and Route 631.

Mr. Bosiger called for comments on this petition.

Ms. Evie G. Harris came forward and gave her address as Route 3 Box 61 Appomattox. Ms. Harris asked the Board to please approve her petition in order that she could have some help.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number of 99-401 of Zane and Karla Summers for a conditional use permit to allow additional dwelling on single lot in A-1 zoning district. Property is part of Tax Map No. 19-A-4B and is located on Route 611 between Route 611 and Route 686.

Mr. Bosiger called for comments on this petition.

Ms. Sara Summers came forward and explained that the reason for this request was so she could put a doublewide on her property so that her son and daughter-in-law could move into it to take care of her in the future.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 99-402 for Tyrone Scott for a variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to rear yard setback. Property is Tax Map No. 108-A-118 zoned R-2 and is located on Route 636 between Route 644 and Route 636.

Mr. Bosiger called for comments on this petition.

Ms. Karen Foster came forward and spoke on behalf of Mr. Tyrone Scott. Ms. Foster stated that Mr. Scott had an odd shaped lot and that when the mobile home was stationed it was 2 feet closer to the back property line than it should have been. Ms. Scott asked that a variance be granted to Mr. Scott to allow him to leave his mobile home stationed as it is.

Mr. Bosiger called for other comments.

Hearing none, and being no further petitions, Mr. Bosiger declared the public hearing closed at 7:12 P.M.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A work session of the Appomattox County Board of Supervisors was held on October 25, 1999 at 6:00 P.M. in the conference room, Virginia Department of Transportation residency office, Ferguson Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Absent:

Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Sandra Lindsay - Resident Engineer
Don Austin - Assistant Resident Engineer
Robert Brown – Contract Administrator

Mr. Bosiger called the work session to order and turned the meeting over to Ms. Lindsay.

Mrs. Lindsay asked Mr. Austin to hand out copies of the proposed Secondary System Construction Program and the Unpaved Road Priority List. (Copy on file in the County Administrator's Office).

A lengthy discussion followed concerning the proposed projects.

After discussion, Mr. Bosiger closed the work session at 8:00 P.M..

A regular meeting of the Appomattox County Board of Supervisors was held on November 1, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order at 6:00 P.M. and delivered the invocation.

Mr. Bosiger then asked if there were any additions or corrections to the minutes of October 4th and 18th. Mr. Bosiger stated that he had a correction on page "c" of the minutes. It should read, 'Mr. Carter made a motion seconded by Mr. Torrence to appropriate $292.30 to install an emergency line to be used during declared disasters and from now until the end of the year for Y2K questions.'

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next asked the Board if they were prepared to approve the bills for November 1, 1999?

Mr. Carter stated that he had several questions concerning the bills and asked Mr. Carroll if he could provide an explanation for the cited bills. Mr. Carroll could address some of the cited bills, but was unable to answer all the questions. After some discussion, Mr. Carwile made a motion seconded by Mr. Torrence to approve the bills on the condition that Mr. Carter's questions were answered to his satisfaction. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called on Mr. Donald Austin of VDOT to appear before the Board.

Mr. Austin stated that the Public Hearing for the Six-Year plan would be held on December 6, 1999 at 6:00 P.M. Mr. Austin then stated that work to pave the Railroad crossing had begun and that the crossing would be closed the rest of the week. Mr. Austin also stated that during the six-year plan work session there had been a request for a priority list for unpaved roads. Mr. Austin stated that he would have this for the Board prior to the Six Year Plan Public Hearing in December. Mr. Austin stated that he had nothing further.

Mr. Bosiger asked if any of the Board members had any questions or concerns for Mr. Austin. Hearing none, Mr. Bosiger thanked and excused Mr. Austin.

Mr. Bosiger then called for Supervisor Concerns.

Mr. Carter asked Mr. Carroll about the status of negotiations with Emanuel Tire of Virginia. Mr. Carroll stated that they were under way.

Mr. Torrence then stated that he had a question regarding the Courtland property the Board had agreed to purchase. Mr. Torrence questioned whether the four parcels with road access were included in the parcel for the school property. Mr. Moore stated that it was his understanding that these parcels were separate from the parcel, but that the County could purchase any of the parcels that it needed at the same per acre price as the larger parcel. Mr. Torrence requested that either Mrs. Ferguson or Mr. Carroll check with Mr. Fred Lawson to determine if they were included.

Mr. Bosiger stated that he had received a letter from Mr. Ben Marshall requesting that the Board sell him some of the Courtland property at the chosen school site to provide him with a buffer zone around his property. It was the consensus of the Board that it would consider this request after the final plans were developed by the Architect and engineer. It was agreed that the Board wanted to develop the property in a manner that would create the least amount of disturbance to the surrounding property owners.

Mr. Torrence then stated that he felt that the Board's decision at the last meeting regarding the school site had been a good decision even if he did not agree entirely with it. He stated that the site selection committee did not have a problem with the Board's decision to chose a site different from the one recommended by the committee. Mr . Torrence stated that he had a serious concern when the credibility and integrity of some of the Board members was questioned and he wanted to take this opportunity to get it cleared up. Mr. Torrence then read a quote from the Times-Virginia newspaper that stated that Mr. Carwile accused Mr. Torrence and others from the site selection committee of covering up details regarding the different sites. In the article it stated that Mr. Carwile would not reveal what details he felt were covered up, but did refer to Mr. Moore's investigation of the sites as his basis.

Mr. Torrence stated that this was not the first time that Mr. Carwile had made these statements. Mr. Torrence stated that he felt that before the Board left this discussion that some things needed to be straightened out. Mr. Torrence stated that he wanted to give Mr. Carwile the opportunity to provide specifics and documented proof that any members of the committee or the architects/ engineers intentionally and wrongfully concealed any facts from the Board. Mr. Torrence stated that Mr. Carwile needed to either provide the specifics of his accusation or offer an apology to the committee for his statements.

Mr. Carwile stated that he had not read that edition of the paper. Mr. Carwile further stated that he would consider the request, but that generally he stood firm on his comments.

Mr. Bosiger asked if there were any other supervisor's concerns to come before that Board. Hearing none, Mr. Bosiger moved to the next agenda item.

Mr. Bosiger then stated that the Board needed to make appointments to the America's Promise Committee and the Central Virginia Area Agency on Aging Advisory Board. It was the consensus of the members to table these appointments until the next meeting.

Mr. Bosiger explained that there were several supplemental appropriation requests that needed action.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate the $7500.00 to the Sheriff's budget for a DMV grant received and $112.30 to 3102-1002 for overtime at high school football games. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger stated that he served as the director of emergency services for the county and that there currently were no funds for emergency situations at the present time. Mr. Bosiger stated that if a disaster or emergency such as Y2K were to occur that the committee might need the ability to spend some money. He further stated that the emergency services board was planning to do a mailing to the entire county advising them about Y2K preparedness.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate $5000.00 to fund an emergency services budget for needs that may arise as a result of Y2K. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger stated that leachate from the landfill was hauled to Lynchburg because of some petroleum in the leachate and also for gravel on the leachate road. There was much discussion regarding the source of the petroleum and also about the costs involved with the hauling and treating of the leachate. The Board decided to table the appropriation request of $12,203.23 until further information could be provided.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $615.00 for additional funds received to the Litter Grant, $131.72 to the library for reimbursements received, and $257.23 from the Law Library Fund. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate $78,283.41 to the schools budget for additional funding received. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

At 7:02 P.M. on a motion by Mr. Moore seconded by Mr. Carter it was agreed to enter into an executive session to discuss a personnel matter and legal issue. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Carwile at 7:35 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Carwile the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was action necessary from the Board?

Mr. Torrence made a motion seconded by Mr. Carwile that the Board increase the annual salary of Alice Rockefeller to $15,000, for Roger Womack to $13,000, and for the currently vacate position to $14,000. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then invited Mr. Hal Craddock to give his presentation to the Board regarding the expansion at the Sheriff's Office. Mr. Craddock thanked the Board for its time and gave a presentation to the Board using several displays. After the presentation the Board and Mr. Craddock discussed the plans and if the plans would meet the needs of the Sheriff. After this discussion, Mr. Bosiger thanked and dismissed Mr. Craddock.

At 7:55 P.M., Mr. Torrence made a motion seconded by Mr. Carter to adjourn until 6:00 P.M. on November 15, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

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CHAIRMAN, GARET K. BOSIGER

A joint work session of the Appomattox County Board of Supervisors and the Appomattox Town Council was held on November 6, 1999 at 7:30 A.M. in the Town Office Building, Linden Street, Appomattox, Virginia.

Present (Board of Supervisors):
Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Town Council):
Ronnie Spiggle - Mayor
Joyce Bennett
C. Lewis McDearmon
Jimmy Mayberry

Absent (Town Council):
R. L. "Dick" Bass - Vice Mayor
Steve Lawson
Marvin Mitchell

Also Present:
Aileen T. Ferguson – County Administrator
Bobbie H. Mullins - Clerk
David T. Garrett, Jr. – Assistant Town Manager
Jerry Kendrick – Supervisor Elect

Mr. Spiggle opened the work session and welcomed everyone. Mr. Spiggle explained for the newly elected member of the Board that the Board and Town Council tried to meet several times a year in a work session to discuss matters of mutual concern.

Mr. Spiggle then talked about the proposed 460 Water line project with Lynchburg. Mr. Spiggle explained that the City was waiting for Appomattox Town and County to take the proposed project to the next level. Mr. Spiggle also explained that Region 2000 had put $50,000.00 in their FY2000 budget to help with expenses involved in carrying this project forward.

A lengthy discussion followed with alternatives being presented for consideration.

Mr. Bosiger then asked Mrs. Ferguson to give a report on the work being done by the Public Safety Committee in regard to Y2K.

Mrs. Ferguson reported on the activities of the committee and explained that a brochure and letter would be mailed to each household in the County providing an emergency

number that could be called for information. Mrs. Ferguson also explained that public officials, fire and rescue personnel would be on stand-by December 31, 1999 until after midnight in case of problems associated with the date change.

Mr. Bosiger then thanked the other members of the Board and Town Council for their cooperation during his term on the Board. Mr. Bosiger stated that he had enjoyed working with everyone.

Mr. Torrence also thanked everyone for the cooperation that had been given during his term.

A general discussion followed.

After discussion, at 9:30 A.M. Mr. Spiggle declared the work session closed.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A public hearing of the Appomattox County Board of Supervisors was held on November 15, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the public hearing to order at 6:00 P.M. and explained that the purpose of the hearing was to receive public comment on a proposed ordinance. Mr. Bosiger then read the ordinance as follows:

There is hereby levied upon every corporation or other entity providing heat, light and power within the county, for the privilege of doing business within the county, a license tax equal to one half of 1 percent of the gross receipts accruing from sales to the ultimate consumer in the county.

Mr. Bosiger asked Mrs. Ferguson if she would like to give a brief explanation as to what the proposed tax entailed.

Mrs. Ferguson explained that approximately one half of the counties already have such a license tax and that the consumers in these counties pay the same utility rates as the consumers in Appomattox County. Mrs. Ferguson explained that effective January 1, 2001 if a county did not have an ordinance in place to levy this tax the County's portion of the tax would go to the State.

Mr. Bosiger then stated the procedure for addressing comments to the Board.

Mr. Jesse Rosser came forward and gave his address as Route 6 Box 1415, Appomattox, Virginia. Mr. Rosser continued that he would like to read a prepared statement concerning the proposed license tax ordinance that was published in the November 3rd issue of the Times Virginian. Mr. Rosser stated that before he read his prepared statement he would like to make a couple of casual comments that come to mind. Mr. Rosser expressed to the Board that he realized that this past year had been trying on the Board but that tonight he was going to give them a break. Mr. Rosser continued that he had spoken with a large number of people concerning the proposed ordinance and that all were instrumental in him reaching a conclusion. Mr. Rosser stated that the County Administrator's Office went beyond all their responsibility to assist him and they should be commended. Mr. Rosser then began that the proposed ordinance was brought about pursuant to Virginia Code Section 58.1-3731. Mr. Rosser continued that the requirements and ramifications were listed in a notice from Virginia Association of Counties urging the Board of Supervisors to adopt this ordinance. Mr. Rosser explained that given what he understands he would urge the County Board of Supervisors to adopt this ordinance. Mr. Rosser continued that this was thought to be something new but it is not. Mr. Rosser continued that many towns and counties have such an ordinance now. Mr. Rosser explained that if the Board would adopt the County would receive a portion of receipts but if the Board does not adopt the County will receive nothing. Mr. Rosser in closing thanked the Board for the opportunity to express his views on this matter.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger declared the public hearing closed at 6:10 P.M.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on November 15, 1999 at 6:11 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and asked Mr. Carter to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carter made a motion seconded by Mr. Torrence to approve the minutes of the regular meeting of October 18, 1999, and a work session of October 25, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of the bills for November 15, 1999.

Mr. Carter asked a question concerning the inmate telephone fund.

Mr. Torrence made a motion seconded by Mr. Carter to approve the bills for November 15, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Mr. Steve Jacobs of Robinson Farmer Cox to appear before the Board and recessed the meeting at 6:20 P.M. to allow Mr. Jacobs to set-up for his presentation.

Mr. Bosiger reconvened the meeting at 6:23 P.M. and explained that Mr. Jacobs would present the five year financial forecast for the County.

Mr. Jacobs gave a very informative presentation concerning the financial outlook for the County for the next five years. (Copy of Documents on file in the County Administrator's Office.)

After Mr. Jacob's presentation he answered questions of the members of the Board.

Being nothing further for Mr. Jacobs he was thanked and excused and Mr. Bosiger explained that a recess was in order to allow for the zoning public hearing.

At 6:55 P.M. the Board recessed.

At 7:10 P.M. Mr. Bosiger reconvened the meeting.

Mr. Bosiger explained that Mr. Moore would be in the Planning Commission meeting for a short while but that he had agreed for the meeting to continue in his absence.

Mr. Bosiger then called on Mr. Gary Gilliam with the Health Department to appear before the Board.

Mrs. Ferguson explained that Mr. Gilliam was meeting with the Board due to some questions the Board had concerning the new regulations.

Mr. Gilliam came forward and introduced Mr. Jim Bowles and Mr. Steve Simpson. Mr. Gilliam began that he and Mr. Bowles had visited with the Board several months ago to go over some of the new regulations and that since then we had been dealing with some of the first encounters with the new regulations and that several questions had arisen.

A lengthy discussion followed.

After discussion and by consensus of the Board Mrs. Ferguson was asked to have the Planning Commission review the Subdivision Ordinance to see if any provisions could be made for one lot divisions to avoid the costs associated with the new Health Department regulations.

Mr. Bosiger then thanked and excused Mr. Gilliam, Mr. Bowles and Mr. Simpson and called on Mr. Wayne Phelps to appear before the Board.

Mr. Bosiger explained that Mr. Phelps was meeting with the Board concerning an incident with flying the Confederate flag on the statue in the Courthouse Square. Mr. Bosiger asked Mr. Phelps if he had any questions for the Board?

Mr. Phelps began that he had no questions but that questions had been applied to him concerning the flags flying and that he had offered his assistance if needed because the Board had been a great help to them. Mr. Phelps again stated that he had no questions.

Mr. Bosiger stated that he guessed the question comes up because normally there are three flags flown in the Courthouse Square, the American flag, the Virginia flag, and the County flag. Mr. Bosiger continued that recently someone, evidentially Mr. Phelps, had put up another flag. Mr. Bosiger asked Mr. Phelps if this were true?

Mr. Phelps stated that on Election Day they put up the confederate battle flag like was used and their Virginia flag that was carried. Mr. Phelps continued that the SCV was very well satisfied with the election outcome.

Mr. Bosiger asked if the flags were flown on the flagpoles?

Mr. Phelps explained that they were flown on the Confederate monument.

Mr. Bosiger continued that as he understood it the concern was that permission had not been granted from the Board of Supervisors to display the flag and questions had arisen concerning the appropriateness of flying the confederate flag on County property.

Mr. Bosiger asked if Mr. Phelps had been asked to come to the Board meeting?

Mrs. Ferguson explained that she had received a concern about the flag and had attempted to contact members of the Board to find out their wishes concerning any necessary action. Mrs. Ferguson continued that On November 4, 1999 Mr. Phelps had called her and stated that if she received any complaints concerning the Confederate flag they should be referred to him. Mrs. Ferguson continued that she explained to Mr. Phelps that the Board of Supervisors was responsible for what was displayed in the Courthouse Square and that the decision should rest with the Board. Mrs. Ferguson stated that at this time Mr. Phelps stated that he would meet with the Board to discuss this matter.

Mr. Torrence began that he felt only the three flags that are presently being flown in the Courthouse Square should be allowed.

Mr. Carter stated that he agreed with Mr. Torrence

Mr. Phelps asked if the Board was saying that Confederate flags could not be flown in the County?

Mr. Carter stated that was not what he was saying, he was only addressing the issue of what would be allowed on County owned property.

Mr. Phelps responded that the funds for the Confederate Statue that stood in the Courthouse Square were raised from County people and businesses. Mr. Phelps continued that most of the time the Board was being asked for money but they tried to do their part by putting money to the project.

Mr. Bosiger stated that he would like to hear from the rest of the Board members.

Mr. Carwile began that he had no reservations to speak up. Mr. Carwile continued that they all knew what Wayne had contributed painting the flagpoles and keeping the grounds up. Mr. Carwile continued that the request for flying the flags, was where all the beef coming from? Mr. Carwile addressed Mr. Carter and stated that Mr. Carter had said

that this issue could be kind of controversial? Mr. Carwile continued that he questioned whether it was really as much issue as instilled fears that it would be controversial. Mr. Carwile addressed Mr. Phelps and asked if there were any complaints on this? Mr. Carwile stated that he would like to take it a step further. He would not like for the Board to slap Wayne in the face with a vote tonight on the issue that far as he knows, and he asked the Board to correct him if he was wrong, there was no where in the Code that addressed this any way, shape or form. Mr. Carwile continued that he would certainly like to think that before the Board acted the Board would give some thought into this matter and check into it further before it was put to a vote. Mr. Carwile continued that in all fairness to Wayne and those who have paid the price, being a Confederate flag, he had no problem with it but maybe 99 disagrees with him. Mr. Carwile stated that he did have a problem that it would have to be asked to the Board at the times it was to be used. Mr. Carwile continued that would be in order. Mr. Carwile again stated that he would not like to put it to a vote tonight. Mr. Carwile asked the other members of the Board if this was addressed by the Code.

Mr. Carter answered that the Code absolutely did not address this issue. Mr. Carter continued that it was common knowledge throughout this area that the flag was a controversial issue. Mr. Carter addressed Mr. Carwile and stated that he was sure he had read of this problem.

Mr. Carwile stated that he was sure that there was some out there but asked if we'd had a problem here?

Mr. Carter stated that if it was out there why would you want to create a potential problem?

Mr. Carwile stated that he was not suggesting that it would create a problem.

Mr. Carter asked that if in Mr. Carwile's mind everything would be okay and there would be no disparity from the County aspect? Mr. Carter again stated that he spoke from a County aspect not a personal aspect. Mr. Carter said this was not a personal issue but a County issue.

Mr. Phelps interjected that he felt that he spoke for hundreds when he said that a lot of people were not going to be happy with this. Mr. Phelps continued that a lot of men died and lost everything they had in World War II and the Civil War and he felt a lot of people would be dissatisfied if the Board told them they could not fly their Confederate Flag or their First National Flag on the statue. Mr. Phelps continued that they were not asking for anything, in fact they painted the poles. Mr. Phelps stated that if anyone wanted to lay blame for the other day they could lay it on him because he put the flags up and they belonged to him.

Mr. Bosiger said that he would like to hear from Mr. Moore.

Mr. Moore began that he thought as much of the Confederate flag as anyone but after all the war is fought and over with. Mr. Moore told of a situation in Richmond with Lee's picture and explained that there were a lot of people on the other side. Mr. Moore stated that it was controversial and they knew that. Mr. Moore continued that both sides lost lots of men, and that if he were going to fly one flag he would fly them both. Mr. Moore continued that we have visitors from the North here all the time and there was a lot of animosity there when one flag is flown. Mr. Moore stated that if you fly both flags it shows that we are reunited. Mr. Moore stated that personally he had no objection but he knew the public and felt it was not appropriate.

Mr. Phelps stated that was a point well taken. Mr. Phelps stated that he had no problem flying the American flag and the Confederate flag together and that basically they did.

Mr. Moore stated that he was not talking about the American flag but the Northern forces flag.

Mr. Bosiger explained that Mr. Moore was talking about the historically significant Northern flag. Mr. Bosiger stated that if you know your history, the Confederate National Flag was very similar to the American flag before they created a battle flag. Mr. Bosiger continued that the purpose of the creation of a battle flag was so that when the units went into battle they could tell one from another. Mr. Bosiger stated that the battle flag has been misused through the years and abused by groups that had no claim to it and that had caused it to be in a position of being very controversial because it stood for things other than the heritage which it originally represented. Mr. Bosiger stated that his problem was not with this particular flag but what if some individual like Wayne wanted to erect a flag on the Courthouse lawn? Mr. Bosiger continued that Mr. Phelps had already stated that he personally flew the flag and that the SCV was not involved. Mr. Bosiger in closing stated that it did not set well with him that someone could come on Courthouse grounds and do something without permission. Mr. Bosiger stated that the Board must be careful to be fair and make sure that all policies covered all citizens.

Mr. Torrence stated that was why he felt the solution for the County, realizing that this is not the only controversial flag out there, was to settle the matter by allowing only the three flags to be flown on County property.

Mr. Carwile asked Mr. Torrence if he did not think that in fairness to Wayne and others that might be concerned that this matter be put off for study before a decision is made. Mr. Carwile suggested that we see what the people in the County have to say before a rush decision is made.

Mr. Torrence said that he did not feel there was anything to study.

Mr. Bosiger stated that he would rather not dishonor the flag by creating a controversy.

Mr. Carwile stated that he felt the Board was moving too fast. He continued that he did not know how many citizens might be for it or against it but he felt they should have an opportunity to voice their opinions. Mr. Carwile continued that it was their County and their Courthouse and he would like to have their input into it from the citizens before a decision was made. Mr. Carwile stated that he would not go with the other members of the Board on this.

Mr. Phelps stated that people had been mighty upset in the county for the last three or four years but he felt the Board did not need to move against the putting of the flag on the statue. Mr. Phelps continued that he could take the flag holders off the Confederate statue if the Board wished but he did not feel it would do the Board any good by doing that.

Mr. Bosiger stated that personally he would like to see the motion say that the flags could be flown on special occasions of historical significance with permission of the Board. Mr. Bosiger continued but that to allow anyone to fly a flag anytime they wanted was not something he felt should be allowed.

Mr. Moore stated that would give the Board some control and he felt that was important.

Discussion continued.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to allow only three flags be flown on County property, the State flag, The U.S. flag and the County flag.

Discussion continued.

After the discussion, Mr. Bosiger amended the motion seconded by Mr. Torrence that each request for use of the Confederate flag on County property, be brought before the Board on a case by case basis for consideration. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for a vote on the original motion.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Mr. Phelps and called upon Mr. Bill Slagle to appear before the Board.

Mr. Slagle began that as Chairman of the I.D.A. he appeared before the Board to take care of several housekeeping items involved with the industrial park.

Mr. Slagle continued that the first item was a request that the EDA grant funds and the matching funds be kept in a separate account for auditing purposes.

Mr. Carter made a motion seconded by Mr. Moore to appropriate $800,000.00 from the I.D.A. bond to match the EDA grant. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Slagle then asked that the Board give permission for the I.D.A to execute the contract for the infrastructure in the industrial park.

Mr. Carter made a motion seconded by Mr. Moore to adopt the following resolution:

WHEREAS, the Appomattox County Board of Supervisors believes strongly in economic development and the positive effect it has for the citizens of Appomattox County, and

WHEREAS, The Board of Supervisors appointed the Industrial Development Authority of Appomattox County and tasked them with the development of an industrial park, and

WHEREAS, the Board of Supervisors and the Industrial Development Authority were in agreement to purchase the property which is now called the Appomattox County Industrial Park, and

WHEREAS, The Board of Supervisors and the Industrial Development Authority have jointly applied for and received a grant from the United States Department of Commerce, Economic Development Administration in the amount of $800,000 for the development of infrastructure to serve the industrial park, and

WHEREAS, The Board of Supervisors wishes to expedite the development of the industrial park and to avoid confusion in the contracting of services.

NOW THEREFORE BE IT RESOLVED THAT, the Appomattox County Board of Supervisors does hereby give authority to the Industrial Development Authority of Appomattox County to execute the construction contract on behalf of the County of Appomattox for the construction of infrastructure improvements to the Appomattox County Industrial Park in accordance with the Economic Development Administration grant award and conditions.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Slagle next explained to the Board that his next item concerned VDOT access road funds. Mr. Slagle stated that as the Board remembered, the County obtained a $350,000.00 grant for access roads into the industrial park, and we have five years to locate a qualifying industry in the industrial park. Mr. Slagle stated that initially the time frame for locating a business was three years but that had been changed to five. Mr. Slagle continued that the bond for this project was with Farmers Bank and that to extend it another two years would cost $250.00.

Mr. Carter made a motion seconded by Mr. Torrence to extend the bond for another two years at an additional cost of $250.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Slagle then explained that also pertaining to the access road was an amendment to the original VDOT agreement that would allow for the final grading of the entrance road to be performed in the same construction contract as EDA construction grant. Mr. Slagle explained that this would allow the County and the IDA to maximize its funding.

Mr. Carter made a motion seconded by Mr. Torrence to adopt the following addendum: THIS ADDENDUM is made and entered into on this-------day of ---------, 1999, by and between the County of Appomattox (COUNTY) and the Commonwealth of Virginia, Department of Transportation (DEPARTMENT), to the Agreement dated June 28, 1999, by the aforementioned parties for Project 0751-006-206,N501. The terms of this addendum shall be incorporated in said Agreement as if fully set forth therein. Paragraph A.4.—revise the paragraph to read "Provide plans, specifications, cost estimated and related contract documents to the DEPARTMENT for approval prior to commencement of construction of Project 0751-006-206,N501. Project 0751-006-206,N501 is described as the construction of a new access road 0.08 mile in length from its intersection with Route 26 and the widening of Route 26 to provide turn lanes from both directions into the Appomattox Industrial Park. Procurement of services associated with development of project plans and construction shall be pursuant to the Virginia Public Procurement Act and other applicable statutes and regulations. Plans shall specifically identify the contract items and the estimated quantity of such item. Any such item(s) eligible for financing from the Industrial, Airport and Rail Access Fund shall be so designated on the plans or otherwise identified and agreed upon by the DEPARTMENT. Project costs incurred or project services contracted prior to April 15, 1999 will not be considered eligible for reimbursement from the Industrial, Airport and Rail Access Fund allocation."

IN WITNESS WHEREOF, such party hereto has caused this Addendum to be executed in its name and on its behalf by its authorized officer as of the day, month and year first hereinabove written
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Slagle explained that the next item for action involved a requirement for EDA grant funding that a Countywide Comprehensive Economic Development Strategy Committee be appointed by the Board with a specific membership that would include involvement from a wide spectrum. Mr. Slagle explained that the purpose of the committee would be to draft a comprehensive economic development plan for the County that would be due by June 2000. Mr. Slagle explained that it might be appropriate that Andy Carroll work with the formation of this committee and report back to the Board.

A general discussion followed concerning the make-up of the committee.

Mr. Slagle then explained that he felt that it would be appropriate for the Board, the IDA and the newly elected members of the Board to meet on December 9, 1999 and have Mr. Slagle review the purpose of the IDA and the progress that has been made towards industrial development.

After discussion and by consensus of the Board it was agreed to meet on December 9th with the I.D.A. and invite the newly elected members of the Board.

At 8:22 P.M. Mr. Bosiger thanked and excused Mr. Slagle and explained that the Board would recess for a short period.

Mr. Bosiger reconvened the meeting at 8:38 P.M. and called for Supervisor Concerns.

Mr. Bosiger began that Pamplin Volunteer Fire Department was in the process of developing plans for the renovation of the old fire department building. Mr. Bosiger continued that he would like to see the Board waive the fees for this permit in order that the process could proceed without any delays.

Mr. Bosiger also explained that it would be necessary to hold an executive session at the end of the meeting to discuss a personnel issue.

Mr. Bosiger called for other concerns.

Mr. Carwile began that he would like to thank the Board and the staff for all the thoughtfulness shown to him with cards, visits, flowers and heartfelt compassion extended to him with the passing of his mother. Mr. Carwile personally thanked Mr. Bosiger and Mr. Torrence for their attendance at the funeral of his mother.

Mr. Bosiger called for other concerns.

Mr. Carter stated that he had five items that he would like to discuss.

Mr. Carter began that he would like to take this opportunity to make a response to Mr. Carwile's unsubstantiated comments made on October 18. Mr. Carter continued that in his twenty-one years service to the citizens of Appomattox Mr. Carwile's remarks are the first allegations that he had heard of, quote "covered up details " from an elected official to his peers. Mr. Carter continued that not only had Mr. Carwile questioned the integrity, dedication and well being of Mr. Torrence and himself but the other elementary school site committee members and two reputable engineering firms. Mr. Carter continued that in addition the gravely announced and yet unsubstantiated allegations that Mr. Carwile has made exposes Mr. Carwile to possible civil suit for slander by any of the parties that Mr. Carter named. Mr. Carter concluded that the Board needed to work in unity not disunity. Mr. Carter stated that this was the obligation that each Board member had to themselves and to the citizens that elected them. Mr. Carter continued that if something was left un-said, and that there was always that possibility, then it was not a cover-up but rather an over site that was not intentional by any committee member. Mr. Carter stated

that regardless, nothing warranted public comment as severe as Mr. Carwile made. Mr. Carter then asked Mr. Carwile to substantiate his comments or withdraw his comments.

Mr. Carwile addressed Mr. Carter and Mr. Torrence and stated that he had prepared a written response and that he was making his response on his own timetable not on Mr. Torrence's. Mr. Carwile continued that at no time did he accuse Mr. Carter or anyone else of any wrongdoing. Mr. Carwile continued that he had simply voiced concerns that the community at large had expressed in voicing those concerns. Mr. Carwile stated that he acted both in good faith and in his representative capacity as a County Supervisor for the Wreck Island District. Mr. Carwile stated that he owed no apology for fulfilling his fiduciary duties to his constituents and that he had nothing more to say on the matter.

Mr. Carter stated that he would like to reply to Mr. Carwile's comments. Mr. Carter stated that according to the November 10th issue of the Times-Virginian it says, "Carwile's allegations involved statements he made on October 18th, the same day the Board voted to purchase 60+ acres to build a new elementary school. Carwile voted for the purchase of Courtland's 60+ acres he said because Torrence and Supervisor Sammy Carter covered-up certain details pertaining to this tract of land." Mr. Carter then asked Mr. Carwile if the Times-Virginian print was wrong or was what Mr. Carwile just said in error?

Mr. Carwile stated that he had responded and that he had given his respond and he had nothing more to say on the matter.

Mr. Carter again asked if the newspaper article was false?

Mr. Carwile stated that he would again tell Mr. Carter that he had read his respond and had told Mr. Carter that he would have nothing more to say on the matter.

Mr. Carter stated that he was sorry to hear Mr. Carwile say that because he felt the Board needed to be in unity and had to work together and regardless of what had just been said we had to continue to go forward. Mr. Carter continued that he felt that an avenue had been opened up that only Mr. Carwile could close.

Mr. Bosiger stated that he felt the Board should take a position, as the governing body of Appomattox County, that the County Board of Supervisors does not have any reason to believe that there was any wrongdoing by the Elementary School Site Selection Committee.

Mr. Bosiger called for discussion on his suggestion.

Mr. Torrence stated that he would just like to read a paragraph from a letter written by Earl Dickerson. Mr. Torrence read, "It appeared to us that others thought information had not been presented that would have a bearing on the decision as to which site the County should purchase. We did not withhold any information regarding any aspects of the development process for any of the sites under consideration. We are very

disappointed to hear that certain individuals believed that we had withheld information. As the engineers for the Site Selection Committee, we had nothing to gain by withholding information. We told the Committee and the joint Board's everything that we had been told by all the local officials relative to all the sites under consideration." Mr. Torrence stated that he felt Mr. Bosiger was right and that somehow the Board needed to clear the smoke for the sake of our architect and engineer. Mr. Torrence continued that he was not surprised that Mr. Carwile did not offer any substantial proof because there is none. Mr. Torrence addressed Mr. Carwile and stated that he was disappointed that he did not offer an apology or to correct this information.

Mr. Torrence then made a motion seconded by Mr. Carter that the Board of Supervisors does not have any reason to believe that there was any wrong doing by the Site Selection Committee, Hurt & Proffitt or Fauber Architects in regards to the selection of a site for the elementary school.

Mr. Moore asked Mr. Bosiger to restate the motion.

Mr. Bosiger restated the motion.

Mr. Bosiger called for a vote:

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye; Mr. Carwile, abstained because he said that the words that had been placed and written in the paper were not his words.

Mr. Moore asked if Mr. Bosiger had called for discussion on this motion?

Mr. Bosiger answered that he thought that he had.

Mr. Moore felt that this was the appropriate time to bring out a few things. Mr. Moore explained that he had not said that there was any wrongdoing but he had felt uncomfortable when he found out that there were several entrances to the property that had not been mentioned. Mr. Moore continued that when he first began looking into this property he had understood that there was only one entrance to the property and that he was going to attempt to contact Ms. Jones to see if property could be purchased from her for an entrance. Mr. Moore gave some background on the Courtland tract. Mr. Moore continued that during his research he found that Courtland had more property that could be purchased and used for entrances. Mr. Moore stated that from a financial aspect the Courtland tract was the more favorable tract. Mr. Moore in closing stated that he did not feel that it was a cover-up only an oversight on the part of the Site Selection Committee.

Mr. Bosiger called for other Supervisor Concerns.

Mr. Carter asked if there was any new information concerning Emanuel Tire of Virginia?

Mrs. Ferguson stated that there was not.

Mr. Carter then informed the Board that he was presently working on the intersection problem at Wendy's.

Mr. Carter also stated that the Board would be receiving an invitation to the Fireman's Supper, which will be held on December 2, 1999 at 6:00 P.M. at the Frozen Food Locker.

Mr. Carter also asked the other members of the Board if they wished to have a social at the County Administrator's Office for the outgoing members of the Board and the newly elected members of the Board?

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson would work out the details for a social.

Mr. Bosiger called for other Supervisor Concerns.

Hearing none, Mr. Bosiger moved to the first administrative item, which was the purchase of the property for the elementary school.

Mr. Bosiger explained that Mrs. Ferguson needed direction as to the wishes of the Board concerning the purchase of the site.

Mr. Bosiger stated that he had understood that the County would purchase all the property that Courtland owned on Lee-Grant Avenue and Route 691 that adjoined the 63 acres more or less that was being purchased for the elementary school.

After discussion it was agreed by the members of the Board that what Mr. Bosiger had stated was what the Board had intended.

Mrs. Ferguson stated that Mr. Lawson had been working on a contract for purchase of this site and would like to talk with the Board in executive session concerning the details.

Mrs. Ferguson also explained that the Board would need to give the Chairman permission to sign the contract with Courtland when it was finalized.

Mr. Carter made a motion seconded by Mr. Carwile to give permission for the Chairman to sign the contract with Courtland for the purchase of the elementary school site. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Governor was giving an additional ½ day for the Thanksgiving holiday and stated that Mrs. Ferguson was requesting the same for County employees.

Mr. Carwile made a motion seconded by Mr. Torrence to give ½ day on Wednesday prior to Thanksgiving to County employees. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from the Save the Blue Crab Foundation that the Board endorse their actions to ban the harvesting of sponge crabs.

Mr. Torrence made a motion seconded by Mr. Moore to have the County Administrator sign the Certificate of Endorsement in support of the Save the Blue Crab Foundations efforts. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there were several supplemental appropriation requests that needed action.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $12,203.23 to 4204-3002 to pay for leachate pumping and hauling. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $70,487.00 to pay Coleman Adams a payment on the baler facility. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate the following:

$3,360.00 to 3102-3002
1,002.00 to 3301-3001
1,670.60 to 3102-5408

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Moore to appropriate $256.76 to the Library's FY2000 budget. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked if the Board was prepared to act on waiving the permit fees for the Pamplin Volunteer Fire Department?

Mr. Torrence made a motion seconded by Mr. Moore to waive the building permit fees associated with Pamplin Volunteer Fire Departments renovation project for their old building. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business Mr. Bosiger called for a motion to enter into executive session to discuss a personnel matter and a legal matter.

At 9:12 P.M. Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session to discuss a personnel matter and a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 9:45 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for other business for the Board.

Mr. Torrence made a motion seconded by Mr. Carwile that the Board appropriate the necessary funds for the Sheriff's Department under professional services. Vote: all aye.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to adjourn at 9:48 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on November 15, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Planning Commission):
Jim Sefter
Claude A. Moore
Calvin Tanner
Robert Johnson
Wayne Lewis
Russell Moore
Kevin O'Brien

Absent (Planning Commission):
Al Sears
Marvin Mitchell
Elizabeth Edwards

Also Present:
Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Mr. Caldwell – Clerk to Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. explained the purpose of the hearing was to receive public comment on several zoning petitions and gave the procedure for addressing comments to the Board.

Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition number 99-403 of Lester H . Pannell to conditional zone property from V-1 to B-1 with conditional use permit for Automotive Repair Garage. Property is Tax Map No. 87-A-91 located on Route 604 between Route 679 and Route 645.

Mr. Bosiger called for comments on this petition.

Mr. Lester H. Pannell came forward and gave his address as Route 1 Box 207, Appomattox, Virginia. Mr. Pannell began that his reason for this request was so that he could operate an automotive repair shop on a part-time basis only. Mr. Pannell stated that he just wanted to be legal.

Mr. Bosiger called for other comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-404 of Carson Farms Inc. for a conditional use permit for 18-hole golf course. Property is Tax Map No. 37-A-12,22,23 and 38-A-

26,27,28 and 29 and part of Tax Map No. 38-1-1 located on Route 660 between Route 661 and Route 26 and is zoned A-1.

Mr. Bosiger called for comments on this petition.

Mr. Daniel Carson came forward and gave his address as Route 4 Box 244, Appomattox, Virginia. Mr. Carson began that over the next two years he planned to put in a golf course. Mr. Carson continued that initially he planned to put in 9 holes and in the next couple of years the other 9 as they go along.

Mr. Bosiger called for other comments.

Mr. Wayne Phelps came forward and explained that he owned property that joined Mr. Carson. Mr. Phelps continued that he felt this was a great idea and that as far as he knew the community-supported Mr. Carson's efforts.

Mr. Bosiger called for other comments.

Hearing none, and there being no further petitions, Mr. Bosiger declared the public hearing closed at 7:07 P.M.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A public hearing of the Appomattox County Board of Supervisors was held on December 6, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the public hearing to order at 6:00 P.M. and explained the purpose of the hearing was to receive public comment on the proposed Six-Year Plan and the priorities for the 2000-2001 Construction Budget. Mr. Bosiger next explained the procedure for addressing comments and turned the meeting over to Mr. Don Austin, VDOT Assistant Resident Engineer.

Mr. Austin began by introducing Ms. Sandra Lindsay, VDOT Resident Engineer, Mr. Mike Crawford, Maintenance Operations Manager, and Mr. Robert Brown, Contract Administrator.

Mr. Austin then gave a presentation explaining the proposed Six-Year Plan.

Mr. Austin then called for questions concerning his presentation.

Mr. Carwile asked if the traffic count was the controlling factor for the unpaved roads.

Mr. Austin answered that you would need a traffic count of at least 50 to determine whether it could be paved.

Mr. Austin called for further questions on the Six-Year Plan.

Hearing none, Mr. Austin moved to the Budget for the secondary road system and gave a brief explanation of the proposed budget.

Mr. Austin called for questions concerning the budget.

Mr. Carwile asked a question concerning the tentative allocation for the coming years budget.

Mr. Austin and Ms. Lindsay explained that there was no way of knowing whether the allocation will increase or decrease, but the budget was usually pretty close.

Mr. Austin then called for requests for improvements or new additions to the secondary road system.

No improvements were requested.

Mr. Philip Jones came forward and gave his address as 438 Walnut Lane, Lynchburg, Virginia 24501. Mr. Jones continued that he was speaking on behalf of Country Haven Estates. Mr. Jones asked that the remaining sections of road in Country Haven Estates, on the Appomattox side, be taken into the 50/50 State program. Mr. Jones explained that approximately 11/2 mile of Main Street and three side streets of approximately 1 mile also be taken into the 50/50 program.

Mr. Carwile asked Mr. Jones if this was for the Appomattox side?

Mr. Jones stated that it was.

Mr. Austin asked Mr. Jones if he were familiar with the process?

Mr. Jones stated that he was.

Ms. Lindsay explained that it would be June 2000 before VDOT would take a look at this and then they would forward their work to the Board of Supervisors for any necessary action.

Mr. Jones asked that if there were no other requests for the 50/50 program that this request be moved ahead.

Mr. Austin asked if there were any additional requests.

Hearing none, Mr. Austin thanked those in attendance and turned the meeting back over to Mr. Bosiger.

(Documents pertaining to the Secondary Road Six-Year Plan and the construction budget are on file in the County Administrator's Office).

Mr. Bosiger closed the public hearing at 6:31 P.M.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on December 6, 1999 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 6:37 P.M. and asked Mr. Moore to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Several corrections were noted.

Mr. Carwile made a motion seconded by Mr. Moore to approve the minutes of the regular meetings of November 1, 1999 and November 15, 1999; the joint work session of November 6, 1999; and the public hearings of November 15, 1999 as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for approval of the bills for December 6, 1999.

Mr. Carter asked several questions pertaining to the bills.

Mr. Torrence then made a motion seconded by Mr. Carter to approve the bills for December 6, 1999 as submitted. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Sandra Lindsay, VDOT Resident Engineer to appear before the Board.

Ms. Lindsay began that she had nothing new to report to the Board and asked if they had anything for her?

Mr. Carwile asked Ms. Lindsay if VDOT were making any special preparations for Y2K?

Ms. Lindsay explained that they had run checks on most of their systems and that everything seemed to be in order. Ms. Lindsay continued that they would have personnel on duty December 31, 1999 until after midnight to be sure everything was as it should be.

Mr. Torrence thanked Ms. Lindsay for the cooperation he had received during his tenure on the Board and for the road work that had been accomplished in his district.

Mr. Bosiger also thanked Ms. Lindsay for the cooperation he had received during his tenure on the Board of Supervisors.

Mr. Moore stated that he had received complaints from citizens concerning flat tires due to the gravel that VDOT was using to patch some areas of road in his area.

Ms. Lindsay stated that she would look into this matter.

Mr. Bosiger called for other comments for Ms. Lindsay.

Hearing none, Mr. Bosiger thanked and excused Ms. Lindsay and called on Dr. Betty Siano to appear before the Board.

Dr. Siano began by thanking the Board for the opportunity to come before them and tell them about the Martin Luther King Birthday Celebration that was being planned for January 2000. Dr. Siano told the Board of the activities that had been planned for the celebration and asked the Board to pass a resolution supporting this event.

Dr. Siano also requested that the Board purchase a full-page ad in the program that is being developed for the celebration at a cost of $100.00. In closing Dr. Siano thanked the Board for their time.

Mr. Bosiger thanked and excused Dr. Siano.

Mr. Carwile made a motion seconded by Mr. Torrence that the Board purchase a full-page ad in the program for the Martin Luther King Birthday Celebration at a cost of $100.00 and adopt the following resolution:

WHEREAS, The Appomattox County Board of Supervisors believes that all citizens should have equal opportunities, and

WHEREAS, The Reverend Martin Luther King, Jr. has long been associated with the civil rights movement to create equal opportunities for all citizens, and

WHEREAS, The Government of the United States and the Commonwealth of Virginia have officially recognized Mr. King's contributions and efforts regarding the civil rights, by creating a Martin Luther King Jr. Holiday .

NOW THEREFORE BE IT RESOLVED THAT, the Appomattox County Board of Supervisors does hereby support the plans for a Martin Luther King Jr. Day celebration in memory of Mr. King's efforts.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Mr. Paul Lee auditor with Robinson, Farmer, Cox to appear before the Board.

Mr. Lee came forward and explained that the FY-1999 audit had been completed and that everything was in order. Mr. Lee than gave a very brief run down of the County finances. Mr. Lee then asked if any member of the Board had questions for him?

Several members of the Board asked questions of Mr. Lee concerning the FY-1999 audit.

Mr. Bosiger then thanked and excused Mr. Lee and called on Mr. J. C. Rogers with the SCV to appear before the Board.

Mr. Rogers began that he was meeting with the Board as the official spokesperson for the SCV, on local matters. Mr. Rogers continued that he would like to set the record straight and let the Board know that the SCV had nothing to do with the flying of the Confederate Battle flag the day after the election. Mr. Rogers assured the Board that the SCV was a non-political and non-racial organization. Mr. Rogers then asked the Board to allow the SCV to fly the Confederate flags on the statue in the Courthouse Square on the following dates: April 9, May 2, May 31, June 3, The second weekend in October (Railroad Festival) and Veterans Day. Mr. Rogers explained that these are the dates that the flag has been flown on County property in the past and that no new dates have been added. Mr. Rogers stated that the SCV's meetings were opened to the public and that all were welcome. Mr. Rogers stated that there was a misconception in the public that the SCV was a hate group. Mr. Rogers continued that this was not true. He stated that the SCV

had membership of all races. Mr. Rogers said that the SCV was not a reenactment group but that their major role was to perpetuate the memory of their ancestors.

Mr. Rogers then answered questions of the members of the Board.

Discussion followed.

After discussion and by consensus of the Board it was agreed to leave this matter for the January meeting in order for the new members of the Board to participate in the decision.

Mr. Bosiger thanked and excused Mr. Rogers and called for Supervisor Concerns.

Mr. Carwile questioned whether a decision had been made concerning waiving the fees for permits for Pamplin Volunteer Fire Department's renovation project.

Mrs. Ferguson explained that this had been done late in the meeting on November 15, 1999.

Mr. Bosiger then explained that Mrs. Ferguson needed permission to solicit bids for the survey of the elementary school site on Lee-Grant Avenue and Route 691 and then allow Mrs. Ferguson to accept the low estimate and proceed with the survey work.

By consensus of the Board it was agreed for Mrs. Ferguson to proceed with the survey on the elementary school site.

Mr. Bosiger then reported on the progress of the selection of an architectural firm for the elementary school project.

Mr. Torrence began that he would like for the Board to provide a report of the projects that had been undertaken by the Board and the progress of these projects. Mr. Torrence felt that the general public was not aware of all the things that the Board of Supervisors had accomplished over the past several years.

A general discussion followed with the consensus of the Board being this was a good idea and should be looked into and a report be given at the December 20th meeting.

Mr. Carter then asked if the Board would consider changing the date of the January meeting to January 10, 2000?

After discussion, Mr. Carter made a motion seconded by Mr. Moore to hold the Organizational Meeting of the Board of Supervisors on January 10, 2000 at 6:00 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then asked if the Planning Commission had met concerning the request from the Board for review of the Subdivision Ordinance?

Mrs. Ferguson stated that they had not.

Mr. Carter then presented a graph that he had prepared showing expenditures for this fiscal year.

Mr. Bosiger called for other Supervisor Concerns, hearing none, Mr. Bosiger moved to the first administrative item the TEA-21 Grant application.

Mr. Bosiger explained that Virginia's Retreat is making a TEA-21 grant application to place battle map signs at various stops along Lee's Retreat. Mr. Bosiger continued that stops 21-Lee's Rearguard and 22-Battle of Appomattox Station in Appomattox have been selected to receive these new more informative signs. Mr. Bosiger also explained that if the grant were awarded the County would need to pay $2,000.00 as a match and that if the Board agrees to participate in the application a public hearing would be necessary before proceeding.

After discussion and by consensus of the Board it was agreed to hold a public hearing on December 20, 1999 at 6:00 P.M. on the TEA-21 application.

Mr. Bosiger then presented information from the County Administrator on a computer upgrade for her office.

Discussion followed.

After discussion Mr. Torrence made a motion seconded by Mr. Carwile to approve the computer upgrade for the County Administrator's Office. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that a resolution was necessary for the two-year extension on the access road funds for the industrial park.

Mr. Carwile made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, the Appomattox County Board of Supervisors has executed an agreement with the Virginia Department of Transportation for a Bonded Industrial Access Road, and

WHEREAS, the Appomattox County Board of Supervisors has already entered into a letter of credit agreement with Farmers Bank of Appomattox for a three year period, and

WHEREAS, the Virginia Department of Transportation has offered to extend the length of time for a Virginia Department of Transportation determined qualifying industry to locate on lot 1 and/or 6 of the industrial park, from three to five years.

THEREFORE, BE IT RESOLVED THAT, at a regular meeting held on December 6, 1999 at 6:00 p.m. in the Courthouse that the Appomattox County Board of Supervisors

will hereby enter into agreement with the Farmer's Bank of Appomattox to provide a two year extension of the original irrevocable letter of credit in the amount of $350,000 for the sum of $250 and authorize Aileen T. Ferguson, County Administrator and Clerk of the Board, to sign said agreement on behalf of Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented the Planning Commission recommendations from the November 15, 1999 public hearing.

Mr. Carwile made a motion seconded by Mr. Torrence to accept the Planning Commission recommendations for the following petitions and approved them as presented:

Petition 99-403 of Lester H. Pannell to conditional zone property from V-1 to B-1 with conditional use permit for automotive repair garage. Property is Tax Map No. 87-A-91 located on Route 604 between Route 679 and Route 645.

Petition 99-404 of Carson Farms Inc. for a conditional use permit for 18-hole golf course. Property is Tax Map No. 37-A-12, 22,23 and 38-A-26, 27,28 and 29 and part of Tax Map No. 38-1-1 located on Route 660 between Route 661 and Route 26 and is zoned A-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mrs. Ferguson was requesting the Board adopt the Financial Forecast for Fiscal Years 2001 through 2005 that had been prepared by Robinson Farmer Cox Associates, in order to recognize the document as an official planning document for the County.

Mr. Carter made a motion seconded by Mr. Moore to accept the Financial Forecast for Fiscal Years 2001 through 2005 as prepared by Robinson Farmer Cox Associates as the official planning document for Appomattox County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next asked the Board to adopt the Governor's Christmas Holiday schedule for County employees.

Mr. Carwile made a motion seconded by Mr. Carter to adopt the Governor's Christmas holiday schedule for County employees. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there were still several committees that required appointments and it appeared that no one was able to find a person interested in serving. Mr. Bosiger continued that Mrs. Ferguson had offered to advertise and solicit interest from the community, if the Board so desired.

After discussion and by consensus of the Board it was agreed for Mrs. Ferguson to run an ad in the local paper to try to generate interest in the committees that require appointments.

Mr. Bosiger then explained that he had been serving as Emergency Services Director for the County and considering the Y2K situation he felt this position should be filled prior to the January meeting.

A lengthy discussion followed.

After discussion Mr. Moore made a motion seconded by Mr. Torrence to appoint Mr. Carter as Emergency Services Director for the County effective immediately. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Board was being forced to reconsider their position as to who they will partner with for job training. Mr. Bosiger explained that under the new Workforce Investment Act the County had chosen to remain with the Private Industry Council and now it appears that is not an option. Mr. Bosiger continued that the Region 2000 area had formed a group spearheaded by the Lynchburg Chamber of Commerce and that the South Central Region had also formed a group and that we had been invited to participate with either group we chose. Mr. Bosiger also explained that we could choose a group and still be placed in the other group by the Governor.

Discussion followed as to the pros and cons for participation with each group.

After discussion Mr. Carwile made a motion seconded by Mr. Carter that Appomattox County join with the counties of Prince Edward, Charlotte, Amelia, Buckingham, Lunenburg, Nottoway, Mecklenburg, Cumberland, Halifax, and Brunswick under the Workforce Investment Act to provide employment training for our citizens and in so doing adopt the following resolution:

Authorizing County Board Chairperson to execute a joint agreement between the Counties of Amelia, Appomattox, Brunswick, Buckingham, Charlotte, Cumberland, Halifax, Lunenburg, Mecklenburg, Nottoway, and Prince Edward in the workforce investment area to form a Consortium under the federal Workforce Investment Act

WHEREAS, the Congress of the United States adopted Public Law 105-220, the Workforce Investment Act, to replace the Job Training Partnership Act (JTPA); and

WHEREAS, the purpose of this Act is to: streamline services through a One Stop service delivery, empower individuals through information and access to training resources, provide universal access to core services, increase accountability for results, ensure a strong role for Local Boards and the private sector in the workforce investment system, facilitate State and local flexibility and improve youth programs;

WHEREAS, the Act and state regulations adopted by the Governor under the Act allows the jurisdictions within a workforce development area to enter into a "consortium agreement" to define their roles and relationships in administering their responsibilities under the Act; and

WHEREAS, the Act requires the Chief Elected Official (County Board Chairperson) or his/her designee to perform several duties which assure local government control over the Local Plan adopted in our Workforce Development Area; and

WHEREAS, the Counties in this Workforce Investment Area need to adopt a formal consortium agreement between them for filing with the Governor.

NOW THEREFORE BE IT RESOLVED by the Appomattox County Board of Supervisors that the County Board Chairperson be and hereby is authorized to execute the "CHARTER CHIEF LOCAL ELECTED OFFICIAL CONSORTIUM AGREEMENT" of the South Central Workforce Investment Area under the Workforce Investment Act (P.L. 105-220) which is attached hereto and made a part hereof. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, nay.

Mr. Bosiger then explained that the Appomattox Volunteer Fire Department had an old truck that they wished to donate to the Town and were asking permission of the Board to do so.

Mr. Carter made a motion seconded by Mr. Torrence to allow Appomattox Volunteer Fire Department to donate an old truck to the Town of Appomattox. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Habitat for Humanity that the landfill fees for their next project be waived.

Mr. Carter made a motion seconded by Mr. Carwile to waive landfill fees for Habitat for Humanity for their next project. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that a forum for newly elected supervisors was being held in January and that Mrs. Ferguson was requesting permission to pay expenses for Mr. Kendrick and Mr. Hancock if they wished to attend.

Mr. Torrence made a motion seconded by Mr. Carwile to pay expenses for Mr. Kendrick and Mr. Hancock to attend the Supervisors Forum in Richmond in January. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked if anyone was interested in attending the VSBA Partnership Conference?

No one was interested in attending this conference.

Mr. Bosiger then stated that there were several supplemental appropriation requests that needed to be approved.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $298.76 to pay Hurt & Proffitt for professional services performed on the elementary school site. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate $211.59 to pay for WATCH FOR CHILDREN signs on Route 724. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate $33,946.20 to make the first payment on the roof replacement for the Health Department and the County Administrator's Office. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate $1,444.00 to the Treasurer's budget due to additional funds received from the Compensation Board to purchase a computer. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate $499.98 to the General District Court budget for reimbursement received for two telephones that were returned. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to make the following appropriations for the Sheriff's Department:

$843.64 to 3102-1002
62.00 to 3102-5408
52.00 to 3301-3001.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate the following to the Animal Control budget:

$12.40 to 3501-5402
64.74 to 3501-7001

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $6,948.35 to the landfill's budget for professional services for the solid waste baler project, $35,205.00 to pay Coleman-Adams on the baler building, $16,653.00 to pay for Part "B" application drawings and documents, $3600.00 to pay professional services for calculation remaining life of cell "I", and $6500.00 to pay for leachate hauling. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate $127.55 for book replacement for the Library and $5000.00 for the match for a grant received by the Library. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to release the $4000.00 appropriated for payment to the Chamber of Commerce for ½ the cost for the Appomattox brochures. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate the following:

$132.00 from the Comprehensive Services Administrative Funds
90.43 from the Law Library Fund
81,337.60 from the School Capital Improvement fund.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Moore to appropriate $1590.00 to pay to have covers for the side of the pit at the baler fabricated and installed and $2425.00 to purchase repair kit for the wire tier. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to accept a proposal from Webber Electric Company, Inc. for electrical work at the landfill in the amount of $4306.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Board would need to adopt the Electric Utility License Tax Ordinance at this time if they chose to do so.

Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following ordinance:

146-48. Legislative Authority

Virginia Code Section 58.1-3731.

147-49. There is hereby levied upon every corporation or other entity providing heat, light and power within the county, for the privilege of doing business within the county, a license tax equal to one half of one percent of the gross receipts accruing from sales to the ultimate consumer in the county.

147-50. Effective Date

This ordinance shall be effective at 12:01 a.m. January 1, 2000.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then turned the Board's attention to a letter from Jeff Grubbs with Hurt and Proffitt addressing a problem that we presently have with the baler operation.

A lengthy discussion followed including comments from Mr. Claude Allen Moore.

After discussion and by consensus of the Board Mr. Carroll was instructed to have Mr. Earl Dickerson of Hurt & Proffitt appear before the Board to discuss the problems with the baling operation.

Mr. Bosiger next explained that an executive session was necessary to discuss a legal and a personnel matter.

At 9:00 P.M. Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session to discuss a legal and personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 10:15 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for any action necessary from the executive session.

Mr. Carter made a motion seconded by Mr. Torrence to increase the Assistant County Administrator's salary by $4125.00 effective January 1, 2000 and appropriate necessary funds to the County Administrator's budget to cover this increase and related benefits. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Carter to give Mrs. Ferguson permission to hire David Spence for the vacant position at the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, at 10:20 P.M. Mr. Moore made a motion seconded by Mr. Carter to adjourn until the joint dinner meeting with the I.D.A. on December 9, 1999 at 6:00 P.M. at the Moose Lodge. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Garet K Bosiger

GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on December 20, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger - Chairman - Falling River District
Samuel E. Carter - Appomattox Courthouse District
Russell H. Moore - Piney Mountain District
Frank H. Carwile - Wreck Island District

Absent:

Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Thomas W. Lawson - County Attorney
Jesse Hancock - Supervisor Elect

Mr. Bosiger called the meeting to order at 6:00 P.M. and gave the invocation.

Mr. Bosiger then called on Dr. Staadt, President Central Virginia Community College to appear before the Board.

Dr. Staadt began that his purpose for meeting with the Board was to give them some background on the proposed project at CVCC. Dr. Staadt provided information on the school in general and then presented information concerning the technical programs. Dr. Staadt explained that in order

to upgrade the technical programs and give them the room they need it will cost $10,536,450.00. Dr. Staadt continued that a portion of these funds would be coming from the State, a portion from the private sector and the balance was being requested from local governments in the area. Dr. Staadt, in closing, asked the Board to consider contributing $59,460.00 to the project. Dr. Staadt explained that this could be done in one lump sum or in installments over a three year period. Dr. Staadt asked the Board to please consider this project in the upcoming budget in order that the needs of the area could be met. Dr. Staadt then asked if anyone had questions for him that would help them better understand the needs?

The members of the Board assured Dr. Staadt that they were in favor of the project and that it would certainly be consider in the next budget year.

Mr. Bosiger thanked and excused Dr. Staadt and called on Mayor Spiggle and David Garrett to appear before the Board.

Mayor Spiggle began by explaining that Town Council had previously spoken with the Board concerning their intent to bring the water system in Walton Place Subdivision into the Town system. Mayor Spiggle continued that the Council was now at the point to need formal approval from the Board to proceed with installing the water line and taking over the well in Walton Place Subdivision.

Mr. Moore made a motion seconded by Mr. Carter to approve for the Town of Appomattox to take over the water system at Walton Place Subdivision and install water line to link with the Town water system. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger thanked and excused Messieurs. Spiggle and Garrett and asked the Board to approve the bills for December 20, 1999.

Mr. Moore made a motion seconded by Mr. Carter to approve the bills of December 20,1999 as submitted. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then called on Mr. Earl Dickerson and Mr. Jeff Grubbs to appear before the Board. Mr. Bosiger explained that the Board had requested to meet with Mr. Dickerson to discuss the problems with the baler building located at the landfill.

Mr. Dickerson began that he had met with the baler representatives this morning and that he felt the biggest concern was associated with the wire tier area and the drain placement. Mr. Dickerson explained that they have spoken to numerous dealers and baler owners and no one has an easy answer on how to handle this problem. Mr. Dickerson explained that everyone they spoke with stated that their employees just make keeping this area clean a part of their normal work day. Mr. Dickerson stated that he understood that the Board did not like this solution and they had several suggestions that may work. Mr. Dickerson then presented several options for Board consideration.

Mr. Dickerson also gave several suggestions for improving drainage problems with the baler

operation.

A lengthy discussion followed.

After discussion Mr. Moore made a motion seconded by Mr. Carwile to appropriate up to $2000.00 to make changes in the baler operation to try to make it less labor intensive. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger thanked and excused Mr. Dickerson and Mr. Grubbs and called for Supervisor Concerns.

Mr. Carter asked the status of negotiations with Emanuel Tire of Virginia.

Mrs. Ferguson stated that there had been no progress.

Mr. Carter then asked the other members of the Board if a letter could be drafted to Ann Dixon thanking her for her efforts on a successful Christmas Parade.

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson write a letter to Mrs. Dixon for a job well done on the Christmas Parade.

Mr. Bosiger called for other Supervisor Concerns.

Hearing none, Mr Bosiger then turned to the supplemental appropriate requests.

Mr. Carter made a motion seconded by Mr. Moore to appropriate the following:
$830.69 to 3102-5408
5.05 to 3501-5402
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then explained that the Board needed to adopt the agreement for the Workforce Investment Area Designation.

After discussion Mr. Carter made a motion seconded by Mr. Moore to adopt the agreement with the South Central Employment Consortium. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then asked the Board if they were ready to adopt the Secondary Road Improvement Six-Year Plan for 2000-01 through 2005-06?

Mr. Carwile made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, the Board of Supervisors of Appomattox County, and the Virginia Department of Transportation held a public hearing on December 6, 1999, in accordance to Section 33.1-70.01 of the Code of Virginia at which the proposed Six Year Plan for Secondary Road Improvements

for 2000-01 thru 2005-06, was presented by D.L. Austin, Assistant Resident Engineer for the Virginia Department of Transportation.

WHEREAS, the proposed list for the 2000-01 Secondary Road Construction Budget was also presented for consideration.

BE IT RESOLVED, that the Secondary Road Improvement Six Year Plan for 2000-01 thru 2005-06 is hereby approved.

BE IT FURTHER RESOLVED, that the priority list for the 2000–01 Secondary Road Construction Budget is hereby approved.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

At 7:02 P.M. Mr. Bosiger recessed the meeting until after the public hearing.

At 7:23 P.M. Mr. Bosiger reconvened the meeting and explained that Mr. Moore would be in the Planning Commission meeting and the Board would proceed with business until he was able to join the meeting.

Mr. Bosiger then presented a supplemental appropriation request from Mr. Carroll for professional services provided at the landfill.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate $21,477.47 to pay Hurt & Proffitt for professional services provided at the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger next explained that there were two information items, one concerning the landfill inspection report and one on the industrial park bids for the Board to review.

Discussion followed concerning the landfill inspection report and the appropriate answer to the report. By consensus Mr. Carroll was to draft a response to DEQ concerning the report.

Mr. Bosiger then asked the other members of the Board to turn their attention to the information item concerning a letter to legislators on landfill issues.

Discussion followed.

After discussion Mr. Carter made a motion seconded by Mr. Carwile to send the letter concerning landfill issues to Senator Holland and Delegate Abbitt. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then called for a recess at 7:38 P.M. because he needed to leave the meeting for a few minutes due to an emergency.

At 7:59 P.M. Mr. Carter reconvened the meeting with Mr. Bosiger not yet returned and Mr.

Moore present.

Mr. Carter gave an update of previous action for Mr. Moore.

Mr. Carter then explained that Home Recovery would not be continuing their lease of space on the lower level of the Health Department as of December 31,1999. Mr. Carter explained that Mrs. Ferguson would advertise this space for rent.

Mr. Carter next asked the Board if they wished to transfer budgeted CIP funds into the CIP account from the General Fund? Mr. Carter continued that Mrs. Belter had notified the Board that the funds are available for transfer.

Mr. Moore made a motion seconded by Mr. Carwile to transfer $257,899.00 from the General Fund into the Capital Improvement Fund. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Carter then explained that an appropriation was necessary to pay the balance to Coleman Adams on the baler facility.

Mr. Carwile made a motion seconded by Mr. Moore to appropriate $6,934.82 to the landfill to pay the balance owed Coleman Adams on the baler building. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Carter then presented a copy of the survey of the new elementary school site for the Board to review.

Mr. Carwile asked if an architect had been selected for the elementary school project?

Mr. Carter stated that the School Board would meet on December 21, 1999 at 6:00 P.M. to make the final decision.

Mr. Moore stated that he had walked the elementary school property and had noticed that the property lines had not been identified.

After discussion and by consensus of the Board Mrs. Ferguson was asked to contact Bill Dickerson and ask him about identifying the property lines.

Being no further business, Mr. Moore made a motion seconded by Mr. Carwile to adjourn at 8:10 P.M. Vote: Mr. Bosiger, aye; Mr Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Garet K. Bosiger

GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on December 20, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
Garet K. Bosiger - Chairman - Falling River District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Present (Planning Commission):
Al Sears
Calvin Tanner
Russell Moore
Wayne Lewis
Robert Johnson

Absent (Board of Supervisors):
Dennis W. Torrence - Appomattox River District

Absent (Planning Commission):
James Sefter
Marvin Mitchell
Claude Allen Moore
Kevin O'Brien
Elizabeth Edwards

Also Present:
Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Thomas W. Lawson - County Attorney
Jesse Hancock - Supervisor Elect
Mr. Caldwell - Clerk to Planning Commission

Mr. Bosiger called the public hearing to order at 7:15 P.M. explained the purpose of the hearing was to receive public comment on a zoning petition and gave the procedure for addressing comments. Mr. Bosiger then asked Mr. Caldwell to read the petition.

Mr. Caldwell read petition number 99-405 of Dolly F. Sowell to rezone property from A-1 to B-1 with conditional use permit for Auto Sales, Fitness center and Hair Salon. Property is part of Tax Map No. 62-A-158 located on Route 646 between Route 460 and Route 708.

Mr. Bosiger called for comments on this petition.

Mr. Terry Ramsey came forward gave his address as Route 3 Box 276, Appomattox, Virginia.

Mr. Ramsey stated that he was the one making the petition on behalf of his mother-in-law and that he and his wife would be operating the businesses if the zoning were approved. Mr. Ramsey stated that he had been asked a lot of questions concerning what he proposed to do and he had tried to answer these questions as best he could.

Mr. Bosiger called for other comments.

Mr. Mickey Martin came forward and gave his address as Route 1 Box 3460, Spout Spring, Virginia. Mr. Martin stated that he had lived in this neighborhood for quite a few years and that Mrs. Sowell had been a good neighbor. Mr. Martin continued that he was concerned with this operation being constructed across from his brick home and he was concerned with the traffic involved due to the businesses. Mr. Martin stated that he was opposed to the petition.

Mr. Bosiger called for other comments.

Mrs. Nannie Mae Davidson came forward and gave her address as Route 2, Spout Spring, Virginia. Mrs. Davidson continued that she was opposed to the rezoning because she lived right down the street and she knew this was going to create a lot of traffic.

Mr. Bosiger called for other comments.

Hearing none and being no further petitions at 7:20 P.M. Mr. Bosiger declared the public hearing closed.

Garet K Bosiger
GARET K. BOSIGER, CHAIRMAN

The Organizational Meeting of the Appomattox County Board of Supervisors was held on January 10, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District
Russell H. Moore - Piney Mountain District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Thomas W. Lawson - County Attorney

This being the Annual Organizational Meeting the County Administrator called the meeting to order at 6:00 P.M.. The invocation was given by Supervisor Moore and nominations for Chairman of the Board for 2000 were requested.

Mr. Carwile began by stating that he would like to say to the other members of the Board that he was not a candidate for Chairman. Mr. Carwile stated with that said he would like to nominate one of the senior members of the Board, Mr. Russell Moore, as Chairman for 2000. Mr. Hancock seconded the motion.

Mrs. Ferguson called for other nominations for Chairman.

Hearing none, Mrs. Ferguson closed the nominations for Chairman and called for a vote.

Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye; Mr. Moore, abstained.

Mr. Moore thanked the other members of the Board for their confidence and asked for their help in the coming year. Mr. Moore then opened the floor for nominations for Vice Chairman

Mr. Kendrick nominated Mr. Carter for Vice-Chairman.

Mr. Moore called for a second.

Hearing none, Mr. Moore called for other nominations for Vice-Chairman.

Mr. Carter nominated Mr. Jerry Kendrick for Vice-Chairman for 2000 and Mr. Carwile seconded the nomination.

Mr. Moore closed the nominations for Vice-Chairman and called for a vote.

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, abstained.

Mr. Moore began by saying that he would like to say at this point in the meeting that he appreciated the election as Chairman even though this was not a position that he had aspirations for. Mr. Moore continued that he would do the best he could to fulfill this responsibility. Mr. Moore continued that he felt he had some shortcomings one of which was being older than the rest of the Board members and the other was his hearing. Mr. Moore stated that if he felt down the road that he was unable to fulfill his duties properly he would step down and let someone else take his place.

Mr. Moore then moved forward with the organization of the Board by explaining that this would be the time to adopt the rules of order.

Mr. Carwile made a motion seconded by Mr. Carter to adopt Robert's Rules of Order Newly

Revised as the rules for the Board. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Kendrick, aye.

Mr. Moore then stated that the next order of business was to establish meeting dates, times, and places.

Mr. Carter began that he would like to say that he felt the Board should establish a policy that no new business transactions take place after 9:30 P.M.

Mr. Moore stated that he felt this was a good recommendation.

Mr. Carwile stated that he did not feel that Mr. Carter would have any opposition on this issue. Mr. Carwile asked if Mr. Carter was going to include the dates and times for the meetings in with the 9:30 adjournment?

Mr. Carter made a motion seconded by Mr. Carwile that the Board hold their regular meetings on the 1st and 3rd Monday nights of each month, except when the meetings would fall on a legal holiday, with the meeting times at 6:00 P.M., with no new business transactions taking place after 9:30 P.M. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that this was the place in the meeting that he was to give instructions to the Administrator. Mr. Moore continued that Mrs. Ferguson has done a good job for the Board over the years in providing information that was necessary and obtaining information that was requested by the Board. Mr. Moore stated that his personal instruction would be to continue to do the job that she has done in the past.

Mr. Moore asked if anyone else had anything to add to these comment?

Mr. Carwile stated that he would like to add that everyone wants to achieve goals a little higher and that he would like to ask Mrs. Ferguson to work a little bit harder because the Board had a lot in the year 2000 to accomplish. Mr. Carwile continued that he would ask Mrs. Ferguson with the two new Board members coming on that she keep them equally and maybe a little better informed because they are coming on and they deserve this extra little bit that it takes to get them on board. Mr. Carwile continued that he was appreciative of the many hard hours and the work that Mrs. Ferguson does for the Board which reflects back to the taxpayers and the people in the County. Mr. Carwile asked that Mrs. Ferguson stay the course and keep us united together.

Mr. Moore welcomed the new Supervisors to the Board. Mr. Moore continued that he hoped this Board would be a Board in unity working together to take care of the County's business. Mr. Moore continued that he would hope the Board would dispense with having words back and forth that were derogatory and be strictly professional in public.

Mr. Carwile addressed the Chairman and said that his remarks were well stated and well heard and that he was in support of that concept.

Mr. Carwile stated that there was other business that he felt that needed to be brought up at the organizational meeting. Mr. Carwile stated that he felt the Board should extend to the Chairman the same privileges in making motions and seconding motions that each member enjoys.

Mr. Moore called for other remarks.

Hearing none, Mr. Moore called for additions or corrections to the minutes.

Mr. Carwile addressed the Chair and asked if the Board had agreed to his proposal?

Mr. Moore stated that the consensus of the other members of the Board was that Mr. Carwile's proposal was in order.

Mr. Carwile continued that he had one issue that he was heartfelt about and he felt that the organizational meeting was the time to bring this matter up. Mr. Carwile continued that he would like to go through and state that for numerous years it has been the policy of the governing body to have the Commonwealth Attorney as County Attorney. Mr. Carwile stated that in keeping with good policy he felt the Board should show the same respect and tradition to our new Commonwealth Attorney, and he felt this should be done now at this organizational meeting before any business is discussed.

Mr. Carwile continued that he hereby makes a motion that our Commonwealth Attorney, Darrel Puckett, Jr. serve as County Attorney under the same pay scale and guidelines as our past County Attorney and also Mr. Puckett would take immediate possession of the position with his acceptance. Mr. Carwile continued by stating that this is what has been a policy for the Board for many many years and he feels that it is in order.

Mr. Moore asked if anyone else had anything to say concerning this mater?

Mr. Carter began that he felt that Mr. Lawson was appointed County Attorney in the early nineties and prior to that he was unaware of there being a County Attorney. Mr. Carter continued that the Town's attorney was located in Amherst, however, he felt that the County's attorney needed to be someone that has experience to help the Board, that Board members from time to time were going to need that persons expertise, knowledge and loyalty. Mr. Carter continued that in keeping with those characteristics he would like to see the Board keep Mr. Lawson as County Attorney.

Mr. Moore asked if there was a second to Mr. Carwile's motion?

Mr. Hancock seconded the motion.

Mr. Moore called for other discussion.

Mr. Kendrick stated that the only thing that he had to say was that basically the elections indicated that the people of Appomattox County were interested in making a change and based on the

voting that took place in the County he felt that he would have to go along with Mr. Carwile. Mr. Kendrick continued that he felt the Board should honor the wishes of the voters.

Mr. Hancock stated that basically he felt the same way that Mr. Kendrick felt that during his campaign that the citizens of the County were looking for a change. Mr. Hancock stated that he felt Mr. Puckett should have this position as in the past the Commonwealth Attorney had held this position.

Mr. Moore stated that his position was that no where in the Board rules and regulations did it say that they had to have the Commonwealth Attorney as County Attorney and he personally would like to see Mr. Lawson remain County Attorney. Mr. Moore continued that Mr. Lawson had done a good job for the County and there was nothing in the rules or regulations that said they had to have the Commonwealth Attorney serve in this position. Mr. Moore continued that he did not feel that the job of County Attorney was ever considered to be connected with Commonwealth Attorney the Board could have had any attorney they chose for this position.

Mr. Moore then called for a vote:

Vote: Mr. Moore, nay; Mr. Carter, nay; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Lawson addressed the Chair and asked if he could address the Board.

Mr. Moore acknowledged Mr. Lawson's request.

Mr. Lawson began that he just wanted to say that he had enjoyed the past 16 years that he had served as County Attorney. Mr. Lawson continued that he liked the job and that he did it the best that he could. Mr. Lawson in closing thanked the Board for their comments and past support.

Mr. Moore thanked Mr. Lawson and stated that he had enjoyed working with him and that he would miss him.

Mr. Moore once again called for additions or corrections to the minutes.

Mr. Carter made a motion seconded by Mr. Carwile to approve the minutes of the regular meetings of December 6, 1999 and December 20, 1999; public hearings of December 6, 1999 and December 20, 1999 as submitted. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock; Mr. Kendrick, aye.

Mr. Moore next called for approval of the bills of January 10, 2000.

Mr. Carter made a motion seconded by Mr. Carwile to approve the bills of January 10, 2000 as submitted. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then called on Ms. Sandra Lindsay, VDOT Resident Engineer to appear before the

Board.

Ms. Lindsay began that she didn't have anything for the Board except to report that everything went well with Y2K and that to her knowledge there were no problems reported. Ms. Lindsay went on to inform the Board of a Route 29 Corridor Study meeting that had been scheduled for January 18th from 4:00 to 7:00 P.M. at the Vocational/Technical Center at Yellow Branch. Ms. Lindsay commented that this did not effect Appomattox County as much as it did Campbell County but we may be interested in attending.

Mr. Moore then asked if anyone had concerns for Ms. Lindsay?

Hearing none, Mr. Moore stated that he was still concerned with the intersection at the shopping center on Route 460. Mr. Moore continued that when he comes out on Route 460 at Super Eight Motel there are some shrubs and a mailbox that obstruct his view that he believes are on the State right-of-way.

Ms. Lindsay stated that she would look into this and report back to the Board.

Mr. Moore then stated that he had expressed a concern before with gravel that was used for patching causing flat tires. Mr. Moore said that this continues to be an issue up in the Stonewall area.

Ms. Lindsay said the patching gravel should not be a problem but she will check on this for the Board.

Being nothing further for Ms. Lindsay, Mr. Moore thanked and excused her.

Mr. Moore then called on Mrs. Barbara Williams, Clerk of the Circuit Court, to appear before the Board.

Mrs. Williams first congratulated the newly elected members of the Board. Mrs. Williams then continued that her purpose for meeting with the Board was to encourage them to strongly support the census efforts and if they had any say in the hiring of the individuals to take the census they should be sure to find reliable people who were not afraid to venture into some of the rather dangerous areas of the County. Mrs. Williams continued that her concern was due to the fact that in prior years people had been overlooked because of the area in which they lived. In closing Mrs. Williams thanked the Board for the benefits provided to her staff by the County.

Mr. Carwile stated that Mrs. Williams presence said a lot about the importance of this census.

Mr. Carwile continued that it is very important that the census be done properly in order that the County receive it's proper share of funding.

Being nothing further for Mrs. Williams she was thanked and excused and Mr. Moore called on Mr. Ben Marshall and Mr. Doyle Martin to appear before the Board.

Mr. Marshall began that some of the Board may not be familiar with the location which has to do with the new proposed school. Mr. Marshall stated that he lives on Lee-Grant Avenue and is very much concerned about the area between him and his neighbors, Doyle and Judy Martin. Mr. Marshall continued that there is a space between their houses of 60' wide and 200' long that separates their two land masses. Mr. Marshall stated that what he would like to do would be to purchase one-half of this area and Mr. Martin purchase the other half. Mr. Marshall continued that this area was more or less their little gravel driveway that comes down between them. Mr. Marshall stated that secondly, if a purchase was made of the property, that would put them within seventy-five feet of the line. Mr. Marshall continued that he has lived with this wooded area behind his house for thirty-seven years. Mr. Marshall stated that his children have played in these woods and that he walks his dog in these woods also. Mr. Marshall would like to purchase a buffer zone of 200' behind their homes. Mr. Marshall continued that thirdly, the way the land lay the purchase of this land would give the Board access to the school property on the side of Mr. Martin and also Mr. Marshall. Mr. Marshall stated that he felt they would be boxed in by road access to the school property. Mr. Marshall stated that he was not in favor of being surrounded by roads and he felt that this would be a dangerous place for school buses to enter and exit. Mr. Marshall feels that there are better entrance areas closer to Town near the old sawmill. Mr. Marshall asked the Board to please consider his requests.

Mr. Martin began that he would like add to Mr. Marshall's request that he be allowed to purchase the area on the west side of him in order to provide him with the freedom of not being boxed in.

Mr. Moore explained that the survey has been completed and he did not feel that with the land that was being purchased the Marshall's and Martin's had a lot to worry about. Mr. Moore continued that the Board could not make any decision on this matter until the layout for the school had been completed.

Mr. Carter stated that he would like to also reassure the Marshall's and the Martin's that the Board would do all they could for them where this matter was concerned.

Mr. Carwile stated that his concerns are with them. Mr. Carwile continued that maybe the time spent before the Board of Supervisors should be spent before the School Board asking them to make a recommendation that the school be put back over at Carver Price where it should have been to start with.

Mr. Marshall thanked the Board for their consideration.

Mr. Moore thanked and excused Mr. Marshall and Mr. Martin and called on the members of the School Board to appear before the Board.

Mr. Mitchell explained that not all the members of the School Board were present and therefore Mr. Moore moved to Supervisor Concerns.

Mr. Carter provided information concerning compensation board jail audits, recommended salary increases 12/1/2000 2.4%, how the composite index will effect the lottery funds and that the

school construction program will continue.

Mr. Carter also expressed appreciation to Ann Dixon and Lela Mann for their support in finding a place to store the toys for tots.

Mr. Moore called for other concerns.

Mr. Moore next turned to the first Administrative Item which was the Bristol Passenger Rail Study. Mr. Moore explained that the Greater Lynchburg Chamber of Commerce was requesting the Board's support in encouraging legislators to support expanding passenger rail service by including funding in the 2000-2002 budget for this purpose.

Mr. Moore next presented a request from Nelson County Board of Supervisors for a resolution of support that the historic Oak Ridge Estate Train Station be designated as one of the train stations of the proposed passenger rail project.

Mr. Carwile stated that he had great concerns with the Nelson County resolution. Mr. Carwile continued by saying the way he understood it the train would come into Lynchburg and at Lynchburg the route would be to Nelson or Farmville. Mr. Carwile cautioned the Board to be careful about supporting this resolution.

Mr. Carroll stated that his understanding of this project was that from Lynchburg you could either travel to Nelson, Charlottesville and Washington or to Appomattox, Farmville and Richmond.

After discussion and by consensus of the Board it was agreed for Mrs. Ferguson to obtain further information and report to the Board at the next meeting.

Mr. Moore then asked the members of the School Board to appear before the Board.

Mr. Selz began that there were three issues that needed to be discussed with the members of the Board of Supervisors. Mr. Selz continued that the first issue was the status of the land purchase. Mr. Selz stated that they could work off of a memorandum of understanding with the architect until the land had been purchased in order that the project could proceed. Mr. Selz stated that the next issue was the appropriation and disbursement of the funds for the architects fees. Mr. Selz continued that the estimate of these fees is $440,000.00 and that the School Board did not have these funds to pay to the architect. Mr. Selz stated that this amount would need to be paid prior to June 30, 2000. Mr. Selz stated that the third issue was the source of funding for the project such as literary loan and Virginia Public School Authority.

Dr. Krug stated that the interest rate for the Literary Loan would increase from 2% to 3% July 1, 2000 due to our composite index rising. Dr. Krug stated that he was not sure that this deadline could be met but they were making every effort to meet this deadline in order to receive the 2% financing from the literary loan.

A general discussion followed.

After discussion and by consensus of the Board it was agreed that the School Board and the Board of Supervisors would meet periodically to review the progress of this project.

Mr. Moore thanked and excused the members of the School Board and continued with the next item on the agenda.

Mr. Moore explained that the Appomattox County Planning Commission had presented a draft on the proposed changes to the zoning ordinance concerning intensive farming operations. Mr. Moore asked if the other members of the Board would like to schedule a meeting with the Planning Commission to go over the proposal.

After discussion and by consensus of the Board it was agreed to schedule a meeting with the Planning Commission on January 18, 2000 at 6:00 P.M. in the Courthouse.

Mr. Moore next explained that Edwin Long, Chairman, Virginia Association Resource Conservation and Development was requesting the Board adopt a resolution encouraging the legislature to appropriate additional funding for the State Parks system.

After discussion, Mr. Carter made a motion seconded by Mr. Kendrick to adopt the following resolution:

WHEREAS, the Commonwealth of Virginia has 34 state owned and operated parks and historical sites that attract over five million visitors annually and which contribute more than $100 million annually to the local economy, and

WHEREAS, citizens of the Commonwealth supported a $95 million bond referendum to purchase new parks and repair existing parks so these publicly-held lands can provide the citizens the opportunities to improve their outdoor experience and understanding of the environment in which we all live and benefit, and

WHEREAS, every state park has received or is scheduled to receive a strategic master plan for the continuing improvement of the visitor experience supported by the community, and

WHEREAS, visitation at our state parks has risen 3.71% annually over the last decade, and interpretation and educational programs offered have doubled and participation in these programs has tripled, and

WHEREAS, the Commonwealth of Virginia support for the state park system ranks 48th out of the 50 in state per capita spending, and there is a demonstrated need for additional funding to continue the improvements and implementation of the master plans, and

WHEREAS, state parks are exempt from local taxes and the tourists visiting the state parks support local businesses and economy and provide sales tax to assist local governments in providing resources to the citizens, now

THEREFORE BE IT RESOLVED, the Appomattox County Board of Supervisors supports the concept of strategic planning and encourages the General Assembly to appropriate additional funding that will afford the Virginia Division of State Parks the opportunity to continue to improve and implement the strategic plans.
Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then reminded the Board that Mr. J. C. Rogers of the Sons of Confederate Veterans had appeared before the Board at the December 1999 meeting requesting permission to fly the Confederate Battle Flay on the statue in the Courthouse Square several dates throughout the year. Mr. Moore continued that due to two new members coming on the Board this issue had been held over until the January 2000 meeting.

Mr. Kendrick made a motion seconded by Mr. Hancock to allow the Sons of Confederate Veterans to fly the Confederate Battle Flag on the statue in the Courthouse Square on the following dates: Lee-Jackson Day, April 9th, May 2nd, May 31st, June 3rd, the second weekend in October (Railroad Festival) and Veterans Day. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next explained that there were several supplemental appropriation requests for Board action.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate $38,682.90 to pay J. E. Jamerson the second installment on the roof repairs and replacement. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $3377.86 to pay architectural fees associated with the renovation and addition to the Sheriff's Office. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr Kendrick, aye.

Mr. Carwile made a motion seconded by Mr. Kendrick to approve a refund of $12.50 to Anthony J. & Cynthia Heard due to decal being purchased in the wrong County. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carwile made a motion seconded by Mr. Hancock to appropriate $938.81 to 3102-5408 and $264.75 to 3102-1002. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Kendrick made a motion seconded by Mr. Carwile to appropriate $3069.40 to the landfill budget to purchase an attachment for the 973 loader. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $255.19 to the library budget for fees collected for book replacement. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carwile made a motion seconded by Mr. Kendrick to appropriate $84,000.00 from the Trigon Stock Proceeds to the general fund for the school employees health insurance premium. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate $18,624.40 from the Athletic Fund to pay bills associated with the Athletic Complex. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Hancock to appropriate $753.41 from the Law Library Fund for the month of January 2000. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $25.00 to the Animal Control budget for donation received. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next explained that there were several appointments necessary. Mr. Moore continued that the first appointment was to the Region 2000 Board of Directors to replace Mr. Bosiger.

Mr. Carter made a motion seconded by Mr. Carwile to appoint Mr. Kendrick to the Region 2000 Board of Directors replacing Mr. Garet Bosiger. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, abstained.

Mr. Moore next explained that there was an appointment necessary to the Central Virginia Planning District Commission replacing Mr. Torrence.

Mr. Kendrick made a motion seconded by Mr. Carwile to appoint Mr. Carter to the Central Virginia Planning District Commission replacing Mr. Torrence. Vote: Mr. Moore, aye; Mr. Carter, abstained; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore explained that the position on the America's Promise Steering Committee was still vacant and that no one had expressed an interest in this appointment to date.

After discussion, the consensus of the Board was to continue to run the ad in the hopes of generating interest in this most important committee.

Mr. Moore next explained that we had two people interested in serving on the Central Virginia Area Agency on Aging Advisory Board.

Mr. Carwile made a motion seconded by Mr. Carter to appoint Mr. Jesse Morton Rosser, Jr. as the citizen appointment representing Appomattox County and Mrs. Mary Miller as the citizen appointment for the at-large position. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then explained that an appointment was necessary from the Board of Supervisors to

fill a vacancy on the Central Virginia Area Agency on Aging Board. Mr. Moore continued that this position needed to be a member of the Board of Supervisors. Mr. Moore explained that he had served for two terms and was no longer eligible to serve. Mr. Moore stated that the CVAAA Board met four (4) times a year.

After discussion, no member of the Board would agree to serve in this position.

Mr. Moore next explained that an appointment was necessary to the Central Virginia Community Services Board to replace Mrs. Terri Conrad.

After discussion it was suggested that this position also be run in the newspaper for the next several weeks to try to generate some interest from the community.

Mr. Moore presented information on a training session for Board Chairmen and Vice-Chairmen in Richmond February 10-12 at the Richmond Marriott. Mr. Moore stated that he would be unable to attend.

Mr. Carwile commented that he would like to see this left open in the event Mr. Kendrick or Mr. Moore decided at a later date that they wished to attend the training.

Mr. Moore asked the other members of the Board if anyone wished to attend the 2000 Legislative Day on February 10th in Richmond? Mr. Moore stated that he planned to attend.

Mr. Carter also stated that he planned to attend.

Mrs. Ferguson explained that she would register for Mr. Carter and Mr. Moore and that if anyone else decided to attend to please let her know.

Mr. Moore next explained that there was a livestock damage claim for Mr. & Mrs. Kenneth Doss that needed to be approved for payment.

Mr. Carwile made a motion seconded by Mr. Carter to approve the livestock damage claim of Mr. & Mrs. Kenneth Doss in the amount of $200.00. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then presented a request from Ted Harris with Saving Virginia's Special Lands for a resolution supporting funding for the Virginia Land Conservation Foundation to help preserve agriculture and farmland, parks and recreation, open space, natural areas and wetlands, historic lands and forest lands.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, The Commonwealth of Virginia's lands are rich in scenic, historic, natural, agricultural, forested, and recreational resources; and

WHEREAS, Virginia is losing these irreplaceable resources to competing land uses at an alarming rate; and

WHEREAS, conserving these resources is critical to Virginia's economy and the health and well being of her citizens; and

WHEREAS, establishing a balance between the conservation of open space/natural resource lands and residential and/or commercial development is essential to the quality of life and sound fiscal health of Amherst, Appomattox, and Campbell Counties and the City of Lynchburg, and

WHEREAS, Virginia currently does not have a stable and adequate source of funds to secure the long term conservation and protection of these lands and resources, and

WHEREAS, the General Assembly has established the Virginia Land Conservation Foundation with authority to expend for the conservation of farmland, historic sites, natural areas, and open space; and

WHEREAS, the Virginia Land Conservation Foundation is the appropriate mechanism for receiving and expending funds from a dedicated state funding source for land conservation;

NOW, THEREFORE, BE IT RESOLVED that the *Appomattox County Board of Supervisors* strongly supports the establishment of a dedicated state source of funding to carry out the mission of the Virginia Land Conservation Foundation; and BE IT FURTHER RESOLVED that the *Appomattox County Board of Supervisors* hereby calls upon the Governor and the General Assembly to dedicate such a stable and adequate funding source beginning in the year 2000. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then called on Mr. Andy Carroll, Assistant County Administrator to come forward and give a report on the landfill operation.

Mr. Carroll explained that there were several ongoing issues involving the landfill that he felt he wanted to keep the Board up to date on.

Mr. Carroll explained that the first issue was the inspection made by D.E.Q. on November 17, 1999. Mr. Carroll explained that he had written to the Department of Environmental Quality explaining concerns that were noted in a letter dated December 9, 1999. Mr. Carroll noted that his answer was enclosed for the Board to review at their leisure.

Mr. Carroll then explained that the second issue that he wished to address was "1205 landfills". Mr. Carroll continued that there were efforts being made by some to close 1205 landfills. Mr. Carroll continued that Mr. Dickerson, the landfill's engineer, had suggested that the Board ask Del. Abbitt to introduce legislation to exempt the County landfill from any legislative or regulatory moves that might lead to its premature closure.

Mr. Carroll next informed the Board that financial assurance continues to be an immediate

concern for landfills and that he intended to attend any meetings that were scheduled on this issue in order to keep abreast of the status of any legislation.

Mr. Carroll noted that the final issue that was of concern to the landfill was groundwater monitoring. Mr. Carroll explained that Joyce Engineering was working on this issue and had contacted him to see if Appomattox County would like for them to include Appomattox in their overall project. Mr. Carroll asked if the Board wished for him to get a price for this work from Joyce?

A general discussion followed.

After discussion and by consensus of the Board it was agreed that Mr. Carroll would contact Joyce Engineering for a quote to handle Appomattox County's groundwater issues with D.E.Q.

Mr. Moore next explained that Mrs. Ferguson was prepared to move forward with several public comment sessions on the proposed community park and asked if the Board was ready to proceed with the plans that were in place.

After discussion, it was agreed that Mrs. Ferguson should proceed with the public comment sessions on the community park to be located on Route 613.

Mr. Moore then commented on the E911 information that had been provided in the Board Book.

Mrs. Ferguson explained that her purpose for putting this information in the Board Book was to start the Board thinking about the possibility of implementing E911 in the near future.

Mr. Moore next explained that Lynchburg Community Action Group, Inc. was requesting approval from the Board to continue to provide housing assistance to Appomattox County low-income persons with HIV/AIDS and their families through emergency mortgage, rent and utility payments and other support services.

After discussion and by consensus of the Board it was agreed that Lyn-Cag continue to provide the above mentioned services to Appomattox County citizens.

Mr. Moore then explained that the Comprehensive Economic Development Strategy Committee needed an appointee from the Board of Supervisors.

Mr. Moore called for a volunteer.

Mr. Carter explained that he was willing to serve on this committee if no one else was willing to serve.

Mr. Moore also explained that Mrs. Shirley Eye was requesting someone from the Board of Supervisors to serve on the Citizens Forum.

Mr. Moore explained that since Mr. Carter was serving on the Comprehensive Economic Development Strategy Committee that maybe he would agree to serve on the Citizens Forum also since these groups would be working closely together.

Mr. Carter agreed that he would serve on the Citizens Forum representing the Board.

Being no further business Mr. Moore explained that an executive session was necessary under Code Section 2.1-344(A)7 to discuss a legal issue and Code Section 2.1-344(A)(1) a personnel matter.

At 8:50 P.M. Mr. Carwile made a motion seconded by Mr. Carter to enter into executive session to discuss a legal and personnel matter. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Carwile at 9:50 P.M. seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Carwile seconded by Mr. Kendrick the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr, Hancock, aye; Mr. Kendrick, aye.

Mr. Moore asked if there was any action necessary from the executive session?

Mr. Carter made a motion seconded by Mr. Hancock to approve an annual salary of $32,000.00 for the Librarian. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Carwile to adopt the following resolution:

Resolution Authorizing Condemnation Proceeding by the County of Appomattox to

acquire a portion of a certain property owned by Kathleen G. Stevens, Richard A. Perry, George Stevens, Roy E. Stevens, Sammie Lee Stevens, Yvonne Hamlette, Gwendolyn Stevens, Roy Stevens, Jr., Beatrice Stevens, Kenneth Stevens, Hortense Stevens, Roy Stevens Morgan, Nancy Pope, Lora Stevens, Marguerite Stevens Redd and The Unknown Heirs at Law, Devisess, Assigns and Distributees of Hudson Stevens, who are proceed against as Parties Unknown, in the County of Appomattox, Virginia, for the purpose of widening State Route 26 for an entrance to a newly constructed industrial access road to Appomattox County Industrial Park.

At a regularly scheduled meeting of the Board of Supervisors for the County of Appomattox held on the 10th day of January, 2000, on motion of Supervisor Carter, seconded by Supervisor Carwile the following resolution was adopted:

WHEREAS, in the opinion of the Board of Supervisors of Appomattox County, it is a matter of public necessity that the County improve a portion of Highway 26, being adjacent to the northbound lane of travel 751.90 feet from its intersection with State Route 1029, along Route 26, 479.39 feet, on property owned by Kathleen G. Stevens, et als; and

WHEREAS, the Industrial Development Authority of Appomattox County has purchased property directly across Route 26 from the above described property and is in the process of constructing an entrance to said property;

WHEREAS, the Industrial Development Authority will construct roads, buildings and new business for Appomattox County, and will provide jobs for Appomattox County citizens; and

WHEREAS, the property upon which the Industrial Park is to be located has no industrial access road to Route 26 and requires construction of an industrial road from the Industrial Development Authority property into Route 26.

WHEREAS, as an incentive to the Virginia Department of Transportation to build said roadway, this board resolved to request industrial access road funding from said Department and agreed that in exchange for that funding, it would be at no cost to the Virginia Department of Transportation guarantee necessary rights of way and that the new roadway so constructed would be added to and become a part of the Primary and Secondary System of Highways for the County of Appomattox; and

WHEREAS, Kathleen G. Stevens, et als are owners of a small parcel of land which is necessary to the construction of this access road; and

WHEREAS, construction of an industrial access road is a public purpose justifying the exercise of the power or eminent domain; and

WHEREAS, immediate right of entry is necessary to enable the said industrial access road

to be built; and

WHEREAS, bona fide but ineffectual attempts have been made by the Board of Supervisors for the County of Appomattox to acquire the necessary property through purchase.

NOW, THEREFORE, BE IT RESOLVED that the County Attorney is instructed to file a condemnation petition against Kathleen G. Stevens, et als, in accordance with the provisions of Article of Chapter 7 of Title 15.2 of the Code of Virginia, 1950 as amended, and Title 25 of the Code of Virginia, 1950 as amended, to acquire the fee simple title to .06 acre and a 10 foot temporary construction easement across the property of Kathleen G. Stevens, et als beginning 751.90 feet from its intersection with State Route 1029 and continuing in a northerly direction 479.39 feet along the norther portion Route 26, as shown on a certain plat of survey dated May 20, 1999 by John R. Bradner, L.S., entitled "Industrial Development Authority of Appomattox County".

That in the opinion of the Board of Supervisors, a public necessity exists for the acquisition of said easement.

That in order to provide the total estimated necessary funds to compensate the owners of the property for the easement to be acquired across the same, and for any damages to the residue, the sum of $1,000.00 has been heretofore appropriated and shall be paid into the Court as compensation and damages, if any, to the property and stating that the date of entry shall be February 2, 2000.

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Hancock to have Craddock-Cunningham to proceed with the plans for the Courthouse addition and renovation. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Being no further business at 10:00 P.M., Mr. Carter made a motion seconded by Mr. Kendrick to adjourn. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Russell H Moore

RUSSELL H. MOORE, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on January 18, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present(Appomattox County Board of Supervisors):
Russell H. Moore - Chairman- Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Present(Appomattox County Planning Commission):
Al Sears
Calvin Tanner
Wayne Lewis
Robert Johnson
Marvin Mitchell
Claude A. Moore
Russell Moore
Kevin O'Brien (arrived late at 6:12 P.M.)

Also Present:
Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Darrel Puckett - County Attorney
Mr. Caldwell, Clerk, Appomattox County Planning Commission

Mr. Moore called the meeting to order at 6:00 P.M. and asked Mr. Hancock to deliver the invocation.

Mr. Moore then called for approval of the bills for payment January 18, 2000.

Mr. Carter made a motion seconded by Mr. Carwile to approve the bills for payment dated January 18, 2000 as submitted. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next welcomed the members of the Appomattox County Planning Commission and explained that the Board of Supervisors had received a copy of the proposed changes to the zoning ordinance at the last meeting and therefore had wanted to meet with the Planning Commission to see if there were any areas that the Board of Supervisors felt needed explanation.

A lengthy discussion followed concerning the proposed changes addressing intensive livestock, dairy, and poultry facilities.

After discussion, Mr. Carter made a motion seconded by Mr. Carwile to hold a public hearing on February 28, 2000 at 6:00 P.M. in the Appomattox County High School Cafeteria on the

proposed changes to the Appomattox County Zoning Ordinance concerning intensive livestock operations. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore asked Mr. Sears and Mr. Lewis if they would be prepared to make a presentation on the proposed changes at the public hearing?

Mr. Sears and Mr. Lewis agreed to prepare a presentation on the changes for the hearing on the 28th of February 2000.

At 6:55 p.m. Mr. Moore recessed the meeting until after the two public hearings.

Mr. Moore reconvened the meeting at 7:20 P.M. after the TEA 21 public hearing and the zoning public hearing.

Mr. Moore stated that Mr. Hancock was in the Planning Commission meeting and the other members of the Board would continue with the agenda items until Mr. Hancock could rejoin the meeting.

Mrs. Ferguson informed the members of the Board that the School Board had scheduled January 27, 2000 at 7:00 P.M. in the school board conference room for the meeting with the elementary school architect.

Mr. Moore then called on Mr. Wayne Phelps representing the Historical Society to appear before the Board.

Mr. Phelps explained that his reason for appearing before the Board was because March was the Historical Society's month to plan an event in celebration of the seventy-fifty anniversary of the Town of Appomattox. Mr. Phelps continued that the Historical Society would like the use of the Courthouse for tours four times during the month of March. Mr. Phelps also stated that the museum would be open and talks would be given at the statue and the mausoleum.

Mr. Moore asked if anyone had any input on this subject?

Mr. Carter asked if it were absolutely necessary to use the Courthouse for this event?

Mr. Phelps stated that the reason for the use of the Courthouse was to give talks on the portraits that hung on the Courtroom walls.

Mr. Kendrick asked if this would be open to the general public?

Mr. Phelps stated that it would be open to the public.

Mr. Carter stated that he was concerned with the security of opening the Courthouse and that he felt the Judges should be apart of the decision making process involving the use of the

Courtroom.

Mr. Phelps stated that they were planning on having at least two or three people here at all times.

Mr. Carwile addressed Mr. Carter and stated that going back to his statement that the judges should be brought in on this, Mr. Carwile continued that he stood to be corrected but it was his understanding that the judges authority was when he was having court. Mr. Carwile stated that when the judge was using the courtroom it was under his authority but he understood then it was back to the Board to control the Courthouse. Mr. Carwile continued that he did not know if he shared Mr. Carter's fears as to what might happen. Mr. Carwile stated that life was a gamble every day with everything that we do and that he was not really sure– Mr. Carwile asked Mr. Phelps what would be the hours they were requesting?

Mr. Phelps stated the hours would be 10:00 A.M. to 4:00 P.M.

Mr. Carwile stated that with the people on Board he was sure that with an event like this the Sheriff's Department would be in and out looking and so he was not sure. Mr. Carwile asked Mr. Phelps if he was going to have any of his people there?

Mr. Phelps stated that he would.

Mr. Carwile stated that he would feel that with what was taking place he would feel that the Courthouse would be the place, a lot of people have not seen the pictures. Mr. Carwile continued that he really did not have that instilled fear, sure, he knew that everything was a gamble but maybe he was more optimistic and not as much of a pessimist.

Mr. Moore asked Mr. Kendrick how he felt about this request?

Mr. Kendrick stated that he felt this should be run by the Judge to see if he is okay with it and he feels that someone from the Sheriff's Office should check the facility at least prior to the event and afterwards. Mr. Kendrick continued that the society that we live in dictates that we have to make the facility secure. Mr. Kendrick stated that other than that he did not have a lot of objection but he did believe that it should be run by the Judge.

Mr. Moore began that he had never thought about security being a problem although he realized that security was becoming a problem everywhere. Mr. Moore stated that he actually had no personal problems with the Historical Society having tours of the building during the month but since the issue of security had been brought up that maybe we should do something to make sure that the building was secure.

Mr. Phelps stated that probably they could have one of the deputy's on their own time to be present with members of the Historical Society. Mr. Phelps stated that he was all for security, it was a big problem.

Mr. Moore stated that it was now but it used not to be. Mr. Moore continued that maybe the

Historical Society could find a deputy that could help out.

Mr. Moore then asked what the wishes of the Board were concerning the Historical Society using the Courthouse the four Saturdays in March?

Mr. Carter stated that he would like to be assured of the security prior to approval.

Mr. Moore asked Mr. Phelps if he would check on the plans for security and report back to the Board?

Mr. Phelps stated that he would get with Sheriff Staples and report back to the Board.

Mr. Kendrick stated that he would still like for the Judge to be informed and asked his opinion.

Mrs. Ferguson was instructed to talk with the Judge concerning this request.

Mr. Moore asked if anyone would like to put this in the form of a motion?

Mr. Carwile stated that he did not feel that a motion was necessary. He continued that they certainly had his support, with the security.

Mr. Moore thanked and excused Mr. Phelps.

Mr. Moore then called for Supervisor Concerns.

Mr. Carwile addressed the Chair and said that he had some concerns but he did not feel that this was the time since Mr. Hancock was not in the meeting and he could have some concerns and he would like to put this off until Mr. Hancock joined the Board.

Mr. Moore stated that would be fine.

Mr. Kendrick addressed the Chair and stated that he did have a concern that when the Board had a major action item that might come up, that it not be brought up under Supervisor Concerns but be made a part of the agenda. Mr. Kendrick continued that his reason for this was to give everyone adequate time to review that agenda item. Mr. Kendrick stated that his understanding of Supervisor Concerns are items of a lessor nature and therefore, he would like to make a proposal that the Board add to their bylaws that anything that requires major decision making be added to the agenda rather than bring it up under Supervisor Concerns.

Mr. Moore stated that he thought this was a good move and that he had no objection.

Mr. Carter stated that he agreed.

Mr. Carwile stated that he was trying to digest all that he heard. Mr. Carwile continued that he missed part of the conversation. Mr. Carwile asked if they were dealing with major concerns that

required research being put on the agenda?

Mr. Kendrick stated that was correct, anything that would be a major public concern that would more than likely require a public hearing or some research or some preparation to understand the issue, should be put on the agenda. Mr. Kendrick continued that his issue was that he did not want to make decisions in a hasty manner. Mr. Kendrick stated that he wanted to make sure that he made a fully researched decision based on all the facts that he had and that he felt each Board member owed that to the citizens.

Mr. Moore stated that he had to fully agree with Mr. Kendrick on this matter.

Mr. Carwile addressed Mr. Kendrick and stated that with Mr. Kendricks' concerns how would the Board actually get these things out? Mr. Carwile continued that there were going to be times that concerns should be voiced that maybe you wouldn't have the time to go through all this process. Mr. Carwile stated that this would be one of his concerns. Mr. Carwile stated that he thought that there may be things that should be addressed because of the essence of time and he felt they could be put out for evaluation and then if they wanted to move them on in to Mrs. Ferguson then she could research, etc. Mr. Carwile continued that he thought the concept was good but he was just questioning if they were going to throw a monkey wrench in things.

Mr. Kendrick began that his thinking is that the Board needs to allow the time to research to make a fully informed decision. Mr. Kendrick stated that in his life whenever he made a hasty decision it usually turned out to be a wrong decision that he regretted. Mr. Kendrick continued that unless the Board was in an emergency situation they should always have the time, they should allow that time, they should demand that time. Mr. Kendrick stated that is really why he wants to see it on the agenda so he could have that time and so that everyone else has the same time.

Mr. Moore stated that if anyone has a concern there was nothing wrong with contacting Mrs. Ferguson and having it put on the agenda.

Mr. Carwile stated that he agreed with Mr. Kendrick wholeheartedly, but that there were concerns out in the community that had been brought on by the Board that was beyond their control and that is the reason that he felt that Mr. Hancock should be back in the meeting for what he really wanted to open tonight, not that it would be a decision made tonight but for that concern to be put out and then evaluate it as to what direction they wanted to go in. Mr. Carwile continued that what he was hinging on was that this Board was faced with things that have come upon them that they are aware of that is making concerns and time is of essence. Mr. Carwile stated that he was speaking of the Courthouse and whatever might fall into that the Board needs to kind of get the direction because of what the commitment had been made by the past Board. Mr. Carwile continued that was where he was coming from, he was not trying to that the Supervisors should not have time and be better informed but he asked if Mr. Kendrick's suggestion was not ruling out that something could not be brought up, as kind of a let's throw it out there and look and see what's the best for it.

Mr. Kendrick again stated that his suggestion was that under Supervisor Concerns, that things of

a major nature, that would involve the public, that would require a public hearing, anything of that nature would not come up under Supervisor Concerns because he would think that anything that would come up under Supervisor Concerns could be addressed by four people. Mr. Kendrick continued that anything that was an agenda item should have all Board members that are present to consider it and have the same time that you would ordinarily have for research. Mr. Kendrick stated that being a new Board member he did not want to make decisions that were not informed.

Mr. Moore stated that a lot of times we have things with Supervisor Concerns that there is no decision to make it's just brought to the Board's attention that they ought to be looking at the issue and he has no problem with that but he felt that actually if anything comes out of Supervisor Concerns that action is needed then it should not come under Supervisor Concerns.

Mr. Kendrick said that as an example he would not want to bring up something like the elementary school one way or the other under Supervisor Concerns because he feels it deserves a through research and appropriate attention by everyone.

Mr. Moore stated that most of the Supervisor Concerns were not of the nature that Mr. Kendrick was referring to. Most of the things were of a nature that the Board could listen to without taking action and he had no problem with something like that. Mr. Moore agreed that when you have to make a motion or decision he agreed with Mr. Kendrick and he felt they should be kept out of Supervisor Concerns and the major things should go on the agenda. Mr. Moore continued that if there were any decision to be made what so ever it should be on the agenda not under Supervisor Concerns. Mr. Moore stated that every time the Board had made a snap decision they had shot themselves in the foot and he would rather not make a decision at all than make the wrong decision.

Mr. Carwile began that he was just at a loss because issues that are before the Board right now, Mr. Carwile asked Mr. Kendrick if he were proposing that this take effect right now or was he saying down the road? Mr. Carwile continued that the Board had some issues that were before them right now in reference to what had been brought down on the Board with the Courthouse. Mr. Carwile stated that time is of essence as to what is the best thing to do to take care of this situation and he did not feel that there was time to get on the agenda for the next month not with what the Board was faced with this month and February 1st. Mr. Carwile continued that his concern was what was the best thing to do to deal with this situation?

Mr. Carter addressed Mr. Carwile and stated that in the case of the item that he just brought up, it was going to be covered in item number eight.

Mr. Carwile asked if this was going to be covered in executive session.

Mrs. Ferguson stated that she intended to give an update to the Board concerning the Court Order in executive session.

Mr. Carwile stated that then the Board could come back out with Supervisor Concerns and open up for what was the best.

Mr. Kendrick stated that he felt the Board members owed it to one another to get something on that magnitude on the agenda so that each member can understand it before he shows up for the meeting. He continued that he felt that it was just good etiquette. Mr. Kendrick then asked if it was the consensus of the other members of the Board that the Board adopt this as a policy?

Mr. Carwile stated that he had no problem with it.

Mr. Moore stated that it was fine with him.

Mr. Carter stated that he agreed.

Mr. Moore asked that Mrs. Ferguson make Mr. Hancock aware of the policy.

Mr. Moore next presented the next item on the agenda, Landfill Financial Assurance. Mr. Moore asked Mr. Carroll to come forward and give a report to the Board.

Mr. Carroll began that he had attended the meeting in Richmond concerning landfill financial assurance. Mr. Carroll stated that there was a draft bill 5844 which would require the escrow funds for closure and post-closure care cost. Mr. Carroll continued that this entire bill was specifically homing in on localities that have landfills. In particular those that use the financial test as financial assurance. Mr. Carrroll continued with an explanation of the proposed bill.

A lengthy discussion followed.

Mr. Carroll then presented information concerning the need for hiring someone to haul cover material from the borrow area at the landfill to be placed at the present cell. Mr. Carroll explained that he had received several quotes for hauling 10,000 cubic yards of cover material.

Mr. Carter made a motion seconded by Mr. Kendrick to hire a contractor to move 10,000 cubic yards of soil from the borrow area to the working face and appropriate $15,000.00 to cover this expense. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Kendrick, aye.

Mr. Hancock joined the meeting.

Mr. Moore explained that the Board needed to appropriate $164,052.00 from the Capital Improvement Fund to pay Courtland for the property for the new elementary school.

Mr. Carter made a motion seconded by Mr. Kendrick that $164,052.00 be appropriated from the Capital Improvement Fund to pay for the elementary school property. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore explained that there had been a request that the Board take action on Mr. Clayton Bryant's petition tonight. Mr. Moore then asked Mr. Hancock what the Planning Commission recommended on this petition?

Mr. Hancock explained that the Planning Commission recommended approval of the petition.

Mr. Hancock made a motion seconded by Mr. Carwile to approve petition 99-407 of Clayton C. Bryant to rezone property from B-1 to M-1 with Conditional Use permit to allow Truck and Trailer storage and repairs and contractor facilities to include sandblasting. Property is part of Tax Map Parcel No. 60-A-53 and is located on Route 609 between Route 460 and Route 608. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye, Mr. Hancock, aye; Mr. Kendrick aye.

Mr. Moore then explained that an executive session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matter.

At 8:12 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to enter into executive session to discuss a legal and personnel matter. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Kendrick at 9:03 P.M. seconded by Mr. Carter it was resolved the Board of Supervisors return to regular session. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick aye.

Mr. Moore then called Mr. Steve Conner to appear before the Board.

Mr. Conner began by explaining that he had come to the Board approximately one year ago with a request for clarification on a policy that had been established concerning subdivision plat approval. Mr. Conner expressed that the basic content of the question was if someone submits a plat for approval that meets the lot size requirements in a certain zoning district is it legal for the Planning Commission to recommend that the lots be rezoned?

After discussion, Mr. Carwile made a motion seconded by Mr. Carter that anyone who meets the requirements for lot size in a certain district would not be required to rezone these lots. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then explained that it was necessary to officially give Mrs. Ferguson permission to sign any documents necessary for the purchase of the elementary school property.

Mr. Carter made a motion seconded by Mr. Carwile to authorize Mrs. Ferguson to sign any documents related to the elementary school property purchase on behalf of the Board of Supervisors. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore called for other business.

Hearing none, Mr. Carter made a motion seconded by Mr. Kendrick to adjourn at 9:30 P.M. until January 27, 2000 at 7:00 P.M. in the school board conference room. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Russell H Moore

RUSSELL H. MOORE, CHAIRMAN

A public hearing of the Appomattox County Board of Supervisors was held on January 18, 2000 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Darrel Puckett - County Attorney

Mr. Moore called the public hearing to order at 7:00 P.M. and explained that the purpose of the public hearing was to receive public comments on a grant application to enhance the sites that make up the Lee's Retreat route by adding a free standing narrative and graphic map to each site which will provide a visual interpretation in addition to the radio interpretation presently at the site. The application will be submitted to the Department of Transportation for Transportation

Enhancement Act funding in the total amount of $60,000.00. Each site will require $1,000.00 from the locality in which it is located.

Mr. Moore then explained that anyone wishing to address comments to the Board concerning this application should come forward, give their name and address and state their comments for the record.

Mr. Moore called for comments.

Hearing none, Mr. Moore explained that since there were no comments it was necessary for the Board to adopt a resolution to participate in this grant.

Mr. Carwile made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program a transportation enhancement project in the county of Appomattox.

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors, request the Commonwealth Transportation Board to establish a project for the improvement of sites 21 and 22 known as Lee's Rearguard and the Battle of Appomattox Station, respectively, along the Route of Lee's Retreat portion of Virginia's Civil War Trails.

BE IT FURTHER RESOLVED, that the Appomattox County Board of Supervisors hereby agrees to pay a minimum 20 percent of the total cost for planning and design, right of way and construction of this project, and that, if the Appomattox County Board of Supervisors subsequently elects to cancel this project the Appomattox County Board of Supervisors hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Being no further, Mr. Moore declared the public hearing closed at 7:02 P.M.

Russell H Moore

RUSSELL H. MOORE, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council and the Appomattox County Planning Commission was held on January 18, 2000 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present(Board of Supervisors):

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District

Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Present(Town Council):
Ronnie Spiggle, Mayor
Joyce Bennett
Lewis McDearmon
Jimmy Mayberry
Marvin Mitchell

Present(Planning Commission):
Claude Allen Moore
Calvin Tanner
Wayne Lewis
Marvin Mitchell
Al Sears
Kevin O'Brien
Robert Johnson
Jim Sefter
Jesse Hancock

Absent(Town Council):
R. L. "Dick" Bass, Vice Mayor
Steve Lawson

Absent(Planning Commission):
Elizabeth Edwards

Mr. Moore called the public hearing to order and explained the procedure for addressing comments to the Board.

Mr. Moore then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition number 99-406 of Fred H. Jones to rezone property from A-1 to B-1 with a conditional use for warehouses. Property is Tax Map Parcel 64-A-95, 97, & 98 and is located on Route 24 between Route 656 and by-pass.

Mr. Moore called for comments on this petition.

Mr. Fred Jones came forward and gave his address as P. O. Box 818, Appomattox, Virginia. Mr. Moore continued that he owned twenty-five acres at this location and that Thomasville wanted him to build them more warehouse space that was needed right now.

Mr. Moore called for other comments on this petition.

Mr. James Bohannon came forward and gave his address as Route 3 Box 770, Appomattox, Virginia. Mr. Bohannon stated that he owned property that joined Mr. Jones' property. Mr. Bohannon continued that he did not feel this should be allowed because it was located near an historic park area. Mr. Bohannon stated that he has several problems with the location of these warehouses. The first one was that if the warehouses are located where they are proposed tractor trailers will be turning down Route 656 and this road was too narrow for tractor-trailers. Mr. Bohannon continued that the area was already a dangerous area for traffic because when you came off the bridge on route 24 the road narrowed into a bottle neck. Mr. Bohannon stated that his mother lives within seventy feet of this property and that there is a lot of noise when these trailers are being loaded or unloaded at night. Mr. Bohannon feels that this type operation devalues his property. In closing Mr. Bohannon stated that he feels this type operation should be in an industrial park.

Mr. Moore called for other comments.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-407 of Clayton C. Bryant to rezone property from B-1 to M-1 with conditional use permit to allow truck and trailer storage and repairs and contractor facilities to include sandblasting. Property is part of Tax Map Parcel No. 60-A-53 and is located on Route 609 between Route 460 and Route 608.

Mr. Moore called for comments on this petition.

Mr. Steve Conner came forward and gave his address as Appomattox. Mr. Conner stated that he was representing Mr. Bryant and Mr. Moore. Mr. Conner then presented each member of the Board with a letter from Milfred G. Bean stating that he had no objection to this rezoning or conditional use (copy on file in the Board File for the month of January 2000). Mr. Conner stated that this property was located in the middle of other property owned by Mr. Clayton Bryant. Mr. Conner continued that he felt this was a good area for this type business because there was other business property around this property and the adjoining property owners were not opposed.

Mr. Moore called for other comments.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-408 of Reformed Bible Church for a special exception to allow church in B-1 zoned area. Property is located on Harrell Street between Church Street and Oakleigh Avenue.

Mr. Moore called for comments on this petition.

Mr. Paul Michael Raymond came forward and stated that he was a resident of Appomattox. Mr. Raymond continued that he was the pastor of Reform Bible Church which was a Presbyterian type Church. Mr. Raymond explained that they had some difficulty locating a building for their

services and had been fortunate to find this location.

Mr. Moore called for other comments on this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 99-409 of Founders Furniture for a conditional use permit to allow addition to existing facilities. Property is zoned M-1 and is located on Route 460 between Route 131 and bypass.

Mr. Moore called for comments on this petition.

Hearing none, and being no other petitions, Mr. Moore declared the public hearing closed at 7:13 P.M.

Russell H Moore

RUSSELL H. MOORE, CHAIRMAN

A joint meeting of the Appomattox County Board of Supervisors and the Appomattox County School Board was held on January 27, 2000 at 7:00 P.M. in the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present(Board of Supervisors):

Mr. Moore - Chairman - Piney Mountain District
Mr. Carter - Appomattox Courthouse District
Mr. Carwile - Wreck Island District
Mr. Kendrick - Appomattox River District

Present(School Board):

Mr. Pickett - Chairman - Appomattox River District
Mr. Selz - Falling River District
Mr. Mitchell - Appomattox Courthouse District
Mr. Rhodenizer - Wreck Island District

Absent(Board of Supervisors):

Mr. Hancock - Falling River District

Absent(School Board):

Mrs. Martha Pankey - Piney Mountain District

Also Present:

Dr. Krug - Superintendent
Joyce Jamerson
Billy Perrow

Janice Marston - Principal Appomattox Elementary School
Aileen T. Ferguson - County Administrator

The meeting was opened by Mr. Pickett and Mr. Bob Moje, VMDO was asked the make a presentation on the proposed elementary school.

Mr. Moje provided several handouts with options for several different size schools and a presentation concerning issues associated with each option. Mr. Moje then answered questions of the members of the School Board and the Board of Supervisors.

A lengthy discussion followed.

After discussion, it was agreed that the two boards would meet on February 23, 2000 at 7:00 P.M. in the School Board conference room to receive an update on the progress of the new elementary school.

At 8:48 P.M. the meeting was adjourned.

Russell H Moore

RUSSELL H. MOORE, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on February 7, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Mr. Russell H. Moore - Chairman - Piney Mountain District
Mr. Samuel E. Carter - Appomattox Courthouse District
Mr. Frank H. Carwile - Wreck Island District
Mr. Jesse L. Hancock - Falling River District
Mr. Jerry G. Kendrick - Appomattox River District

Also Present: Andy Carroll - Assistant County Administrator
Darrel Puckett - County Attorney

Mr. Moore called the meeting to order at 6:05 P.M. and asked Mr. Kendrick to deliver the invocation.

Mr. Moore then asked if there were any additions or corrections to the minutes. Mr. Carroll stated that he had several corrections to bring to the Board. Mr. Moore asked if there were any other additions or corrections to the minutes? Mr. Carwile stated that he had one correction to the minutes on page 8M of the minutes. Mr. Carwile stated that it should read literary loan instead of literary load. Mr. Moore asked if there were any additional corrections.

Mr. Carter made a motion seconded by Mr. Hancock that the minutes be approved as amended. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next asked if there were any questions concerning the bills. Mr. Carter stated that he had several questions that he would pass along to Mr. Carroll for review. Mr. Carwile also stated that he had one question and asked that Mr. Carroll look into it and give him an answer. Mr. Moore asked if there were any other questions concerning the bills. Mr. Carter then made a motion seconded by Mr. Carwile that the bills be approved as submitted with the understanding that Mr. Carroll would respond to the Board's questions. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then asked Sandra Lindsay to appear before the Board. Ms. Lindsay stated that the Primary Road Allocation Hearing would be held on March 29, 2000 at the Lynchburg Ramada Inn & Conference Center. Ms. Lindsay stated that the pre-allotted time for Appomattox County to express concerns regarding desired improvements to the primary road system was from 9:30 - 10:30 A.M. Ms. Lindsay stated that she did not know if the Board had any specific requests regarding the primary road system, but this would be the appropriate forum to state any concerns on this area.

Ms. Lindsay then stated that she had checked with the maintenance supervisor concerning Mr. Moore's complaint about gravel in peoples tires in the Bent Creek area. Ms. Lindsay stated that the only thing she could do would be to check with the quarry, but that the patching on any hard surface roads was not causing the problem. Ms. Lindsay further stated that the Board may wish to contact the Sheriff's Department regarding trucks that may be losing gravel from their loads. Ms. Lindsay stated that the law required trucks to cover loads of gravel and to have their loads secure.

Ms. Lindsay also stated that she would like to inform the Board that Mike Crawford had received a promotion to Assistant Resident Engineer for Chatham and as a result the new Maintenance Manager for both Appomattox and Campbell County was now Donald Harvey.

Ms. Lindsay stated that she had nothing further for the Board. Mr. Moore asked if any members had any other questions for Ms. Lindsay. No members had any questions. Mr. Carroll asked Ms. Lindsay to please explain the letter regarding an appropriation of funds for Country Haven Estates. Ms. Lindsay stated that Country Haven Estates had asked for a road to be constructed under the 50/50 program. This program meant that the group would provide half the cost of the construction and the other half would come from County highway construction funds that reside with VDOT. Country Haven had been required to provide the costs for half of the constructions costs based upon engineering estimates. The project had now been completed and had been some $38,000 under the initial estimates, therefore the $19,328.02 was being returned to County Haven Estates via the County. Ms. Lindsay stated that this was the procedure when projects of this nature were constructed under budget.

Ms. Lindsay stated that the Board may want to see if Country Haven Estates was planning to apply for another project. Mr. Carwile stated that he believed that Country Haven Estates did

indeed have another project in the future and asked the Board to consider holding the money for Country Haven Estates in an escrow account bearing interest if Country Haven Estates agreed with this proposal. Mr. Carroll stated that he could contact Country Haven Estates about the possibility of them requesting another project, but unless the money would be transferred back to VDOT within a week or two, he would recommend that the Board pay the money to Country Haven Estates when the funds were received from VDOT. A consensus of the Board was reached that it would be better to pass the funds on to Country Haven Estates rather than hold the funds.

Mr. Moore thanked Ms. Lindsay for her comments and excused her. Mr. Moore then asked Lee Hood Capps, Executive Director of the Central Virginia Planning District Commission (CVPDC), to appear before the Board.

Mr. Capps approached and stated that he had a folder for each Board member containing information on the CVPDC and that he wanted to go over this information to remind former Board members of the services provided and to introduce the new Board members to the CVPDC services. Mr. Capps explained the role the CVPDC had played in several projects involving Appomattox County, the Town of Appomattox, and the Town of Pamplin. These projects ranged from grant development & support to 2000 Census preparation. Mr. Capps concluded his comments and asked if there were any questions from the Board. Mr. Kendrick asked a question regarding the Foreign Trade Zone listed in the packet. Mr. Capps explained the difference between a Foreign Trade Zone and a Free Trade Zone and the benefits that a Foreign Trade Zone can have for businesses. Mr. Moore thanked Mr. Capps for his appearance and the information he had provided.

Mr. Moore then asked for Jack Wayne Burks to appear before the Board. Mr. Burks approached and stated that he had a concern that he felt the Board could help with regarding the amount of litter on the County's roads. Mr. Burks stated that the Town of Appomattox had a trash tax and he felt the County should impose some type of similar tax, especially on bottles and fast food containers. Mr. Burks also stated that he had to pick up trash on his property every weekend. Mr. Burks stated that if the County was serious about tourism and selling itself to industrial prospects it would have to address this problem.

There was some discussion between Mr. Burks and the Board concerning the actual implementation of such a program. Mr. Burks stated that he had not figured out how this could be done, but he felt that the Board could possibly develop a method. Mr. Moore thanked Mr. Burks for his comments and excused him.

Mr. Moore then stated that Rodney Barnes was next on the agenda, but that he did not see Mr. Barnes in the Courtroom, so the Board would proceed down the agenda. Mr. Moore asked for the other Board members to turn their attention to the additional items and called for Jimmy Drinkard to appear before the Board.

Mr. Drinkard approached the Board and stated that he had asked to be on the agenda to discuss the Courthouse. Mr. Drinkard stated that he had a conversation outside the Courthouse with

Judge Blanton concerning the Courthouse issue. Mr. Drinkard stated that Judge Blanton had told him that he could not understand why the Board had not decided to build a new courthouse especially when the figures for renovation versus new had been provided by the architect. Mr. Drinkard stated that there were hidden costs in renovation and pointed to the increased and unexpected costs associated with the renovation of Bedford County's Courthouse. Mr. Drinkard stated that Judge Blanton told him that he was greatly in favor of a new courthouse versus an old one because of the disturbances involved with renovating.

Mr. Drinkard continued that the Board had been approached some time ago about placing the Courthouse on the State and National Registry of Historic Landmarks. Mr. Drinkard stated that he felt that this should still be done and that the Historical Society could use the front of the Courthouse and that the County could have the whole back part to use. If a new one was built across the road, then you would have at least 75-80 years of use a s opposed to 15 years with a renovation. Mr. Drinkard also stated that the Judge had told him that if the Board decided to build a new Courthouse that he would give the Board a little bit more time because it would reduce the disturbances that renovation would cause.

Mr. Drinkard also stated that the Historical Society would like to fly the Confederate Flag on Saturday, March 25th when it was celebrating the Town of Appomattox's 75th Anniversary.

Mr. Carter asked Mr. Drinkard if he was appearing on behalf of the Historical Society or as a citizen. Mr. Drinkard stated that he was a member of the Historic Society, but that he was appearing as a concerned citizen.

Mr. Kendrick then stated to Mr. Drinkard that March 25th had not been one of the dates approved for flying the Confederate Flag. Mr. Drinkard agreed, but ask that the Board allow it for this additional day. Mr. Carter asked if he was aware of the letter from Judge Blanton that was attached to the additional items. Mr. Drinkard stated that he was not aware of the letter. The Board had no further questions for Mr. Drinkard. Mr. Moore thanked Mr. Drinkard for his comments and excused him.

Mr. Moore then stated that Mr. Carwile was next on the agenda. Mr. Carwile left his Supervisors seat and stood in front of the other Board members. Mr. Carwile thanked the Chairman. Mr. Carwile stated that he had listened to Mr. Drinkard's comments and that he had also wanted to address the Board regarding this issue. Mr. Carwile stated that he was deeply concerned with what was best for the citizens of the County and all the many different projects that were facing the current Board that had been passed on by the past Board. Mr. Carwile expressed his concern that the two new Board members had no input into this decision, but now they were being held accountable for the decision.

Mr. Carwile further stated that the new Board members should be involved with this decision and that he understood that everything was in the works to proceed with renovation, but that his understanding was that it had not reached a point were it could not be reconsidered. Mr. Carwile stated that he was concerned with what was the best thing for all the tax payers. Mr. Carwile

referred to Mr. Drinkard's comments about longevity. He too was concerned with the longevity of a new Courthouse versus the band-aid of a renovation. Mr. Carwile stated that it was the inconvenience that would be placed upon those workers in the Courthouse. Mr. Carwile stated that it would be very stressful to those workers and he also cited the large cost involved in barricading off different areas for the renovation that would add costs, but not value. Mr. Carwile stated that Mr. Drinkard's comments were supported by the letter from Judge Blanton. Mr. Carwile stated that it was before this to Board determine the right thing to do, build new or to renovate.

Mr. Carwile then stated to the Chairman that when he returned to his seat that he would ask this Board to reconsider. Mr. Carwile stated that he was not asking for a vote; he was only asking for the Board to reconsider renovation versus new and that he would like for Hal Craddock to appear before the Board and have questions from the Board fielded to him. Mr. Carwile suggested that questions of concern were costs comparisons, time of construction, and the level of inconvenience placed upon the employees in the building while the renovation was going on. Mr. Carwile stated that he would rather handle a utilization of the building as it is today rather than deal with the renovated courthouse down the road. Mr. Carwile stated that he was not sold on the $875,000 given to the Board for extensive work to bring it up to standard when no utilization had even been determined. Mr. Carwile said he didn't accept those figures and that he was not bitter because he had been voted down 4-1 by the previous Board.

Mr. Carwile referred to the previous meeting were he had stated that the Courthouse belonged to the judge when he was using the Courthouse and that it belonged to the governing body of the County when the judge was not using it. Mr. Carwile stated that he was not aware at that time of the Attorney General's ruling that the Courthouse came under the control of the judge at all times. Mr. Carwile stated that this was even a stronger argument for building the judge a new courthouse and the Board controlling the current courthouse as the governing body. Mr. Carwile stated that he was returning to his seat and he told the Chairman that he wanted a vote to reconsider renovation versus new, and that he wanted the Board to meet with Hal Craddock as soon as possible, hopefully this week.

Mr. Moore stated that the Board had a motion from Mr. Carwile before it to reconsider the renovation versus new on the Courthouse issue. Mr. Moore asked if there was a second. Mr. Kendrick seconded the motion. Mr. Moore called for a vote. Vote: Mr. Kendrick, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Moore, nay; Mr. Carter, nay. Mr. Moore stated that the motion passed so the Board would reconsider the renovation of the courthouse.

Mr. Moore stated that he assumed that the Board still wanted to meet with Hal Craddock to discuss the project, renovation versus new. Mr. Carwile stated that he wanted to have this meeting as soon as possible in order to adhere to the time line submitted to the judge. Mr. Carroll asked if the Board wanted to provide him with a date and time to schedule this meeting. Mr. Moore stated that the issue would have to be held on a special referendum to move the Courthouse. Mr. Moore stated that this would increase the cost involved. There was some discussion between the Board concerning the referendum.

Mr. Carroll stated that he would like to comment on Judge Blanton's letter. Mr. Carroll stated that he had been called by Mr. Drinkard and Mr. Carwile asking that they be on the agenda to discuss the courthouse. Mr. Carroll further stated that he had called Judge Blanton to avert any concern the judge may have with any newspaper article arising from the Board's discussion. Mr. Carroll stated the judge had told him he was not concerned whether it was new or renovated courthouse, but that certain standards would have to be met. Mr. Carroll stated that the Judge was leaving the decision up to the Board to determine the best and lowest cost way to provide the necessary facility needed. Mr. Carroll stated that the judge had stated it would be okay for the Board to reconsider, but it would need to be done quickly. Mr. Carroll concluded by stating that the judge would need a new work plan if the Board decided to change its decision regarding renovation.

Mr. Kendrick asked Mr. Carroll if he was saying that the judge would not hold the Board to the original milestones set in January? Mr. Carroll stated that this was correct, but that the judge would expect a decision shortly regarding a renovated or new courthouse. Mr. Carwile stated that he would like to meet with Hal Craddock as soon as possible and have a vote after that meeting in order to expedite the whole thing. Mr. Carwile stated that he felt that Judge Blanton would have no problem with this and that if the decision to build a new courthouse was reached it was possible that it could even be completed sooner than the renovated schedule.

Mr. Carter asked the two new Board members if there had been anything discussed tonight that would make them alter the previous Board's decision. Mr. Kendrick stated that he had never heard the argument for new versus old and that since it appeared that the judge was willing to work with the Board, he would like to meet with the architect to discuss the issue. Mr. Hancock responded that he felt the same as Mr. Kendrick on the issue.

The Board asked for Mr. Carroll to contact Mr. Craddock so that a meeting could be set up as soon as possible to discuss the courthouse issue. Mr. Carroll asked if there was any specific date or time the Board wanted to hold this meeting. It was the consensus of the Board to hold the meeting the same week at 6:00 P.M. if this was possible with Mr. Craddock, if not then as soon as possible.

Mr. Moore then stated that Mr. Barnes had arrived and asked Mr. Barnes to approach the Board. Mr. Barnes along with Mrs. Barnes and Ms. David Wingfield came forward. Ms. Wingfield stated that she was an outreach director that worked primarily in Lynchburg and that she had become aware of the Barnes' and their attempt to help the homeless in Appomattox County. Ms. Wingfield stated that the Lighthouse of Love Outreach Center had provided services for an average of twelve individuals a week since opening its doors. The center was fully operational now and Ms. Wingfield had been successful in its attempt to incorporate as a non-profit organization. Ms. Wingfield stated that all this had occurred while the center was still providing for the needs of its clients.

Ms. Wingfield stated that she had a proposal for the Board to consider in its Fiscal Year 2001 budget. Ms. Wingfield stated that the Lighthouse of Love was providing a needed service in Appomattox County and that it had helped many people from even outside Appomattox. Ms.

Wingfield asked the Board to consider a $50,000 contribution to the center in the next budget and stated that this was only a portion of the total $229,000 budget for the center. Ms. Wingfield explained that this figure included in-kind contributions made by the Barnes' and other items as described within the budget. Ms. Wingfield handed Mr. Moore a copy of the proposal for consideration.

Mr. Barnes then spoke about the different kinds of assistance that he had given to both residents of Appomattox County and others from outside the area. Mr. Barnes also stated that the center had received numerous referrals from the Sheriff's office and the Department of Social Services. Mr. Barnes again asked for the Board to place the center's request into the budget.

Mr. Carwile then asked Mr. Barnes if it was true that in the center's infancy, it had been of great assistance to those victims of the hurricane and flooding in North Carolina? Mr. Barnes stated that this was indeed true. Mr. Barnes continued to say that the center had accommodated five families as a result of Hurricane Floyd. Mr. Barnes stated that the center had just begun to advertise its services in the local paper. Mr. Barnes continued that there had been a lot of demand for the services of the center and that Appomattox was steadily growing and would require even more of the center's services.

Mr. Carwile stated that he also understood that Mr. Barnes had met with the Appomattox Association, an association of 27 churches in the County. Mr. Carwile asked how Mr. Barnes was received by this group? Mr. Barnes stated that the association was very strongly behind the center and they too were planning to give assistance to the center. Mr. Barnes also stated that they were trying to get the whole community involved.

Mr. Carwile also stated that he had understood that Mr. Barnes had been well received by some of the officials in Appomattox County. Mr. Barnes stated that he had letters of support from the Department of Social Services, Judge Kerr, and Sheriff Staples. Mr. Carwile addressed Ms. Wingfield and stated that it was his understanding that the application was underway for tax exempt status. Mr. Carwile asked Ms. Wingfield if it was critical that the center get support so that it could continue to meet the need. Mr. Carwile stated that he had seen first hand the work that was being done at the center. Ms. Wingfield stated that the center was already tax-exempt because of its no-profit status, but that there were more rigorous criteria which was the 501(C)3 status. Ms. Wingfield stated that this was an involved process that usually would cost in excess of $3,000, but that she was performing the work at no charge because she believed in what the Barnes' were doing. She also explained that there was a $500 filing fee and that there were still large monthly budgetary requirements for the operation of the center.

Mr. Moore asked Mr. Barnes' about the five families that had come from North Carolina and how they found out about the center. Mr. Barnes' explained that three of the five families they helped had come to Appomattox to stay with a relative, but that the relative did not have enough room for them all so they had come to the motel. All five of the families had traveled from North Carolina together. Mr. Barnes continues that two of the families had relocated here because they had lost their homes.

Mr. Kendrick stated that he commended the Barnes' and their efforts, but that he did have some questions concerning the budget. Mr. Kendrick asked if most of the $229,000 budget came from contributions? Ms. Wingfield stated that it consisted of in-kind contributions, space costs, rental/ lease/purchase of equipment, consumable supplies, client transportation costs, special program costs, and the proposed cost of operating other programs through the shelter to include: a barterer group, child care classes, etc. Ms. Wingfield stated that her client actually proposed to partner with other agencies and have them provide training opportunities for the indigent population of Appomattox County. Ms. Wingfield stated that the cost of the proposed services would be approximately $75,000 and that was classified as in-kind. She continued that budget was separated into the following categories; the requested amount, other funds, and in-kind contributions.

Mr. Moore asked if there were any other questions? Mr. Moore explained that the County had budget constraints and that anything of this nature would have to go through the budget process. Mr. Moore further stated that the County did not have funds to give out. Mr. Moore stated that the Board received a lot of requests for funding, but that they normally did not give them out. Mr. Moore stated that unless anyone disagreed it would have to go through the budget process.

Mr. Carwile stated that the budget process was coming up and that this would be the appropriate time to consider the request. The other members of the Board agreed. Mr. Moore thanked the Barnes' and Ms. Wingfield for their appearance and excused them.

Mr. Moore then asked if there were any Supervisor's Concerns. Hearing none Mr. Moore then moved to administrative items. Mr. Moore stated that the Historical Society had requested use of the Courthouse for March 25th from 9:00A.M. to 4:00P.M. to celebrate the 75th anniversary of the Town of Appomattox. Mr. Moore further stated that Judge Blanton had spoken with Ms. Ferguson and told her that he was uncomfortable with opening the courtroom unless a county employee was present to insure security. Mr. Blanton had also stated that the Courthouse was under his authority at all times in accordance with Attorney General determinations.

After some discussion, Mr. Carter made a motion seconded by Mr. Carwile that the Historical Society could use the courthouse on March 25th from 9:00P.M. to 4:00P.M. provided that a county employee would be present. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr Carwile, aye; Mr. Hancock, aye; Mr. Kendrick aye.

Mr. Moore stated that the Roberts Brothers Circus had requested use of the Courtland Field to hold a circus. Mr. Moore stated that he was fairly certain that this circus had been in town before and had done a good job. Mr. Moore stated that they would be willing to pay to rent the field, but that he felt they should have a sponsor for the event. After some discussion, the Board reached a consensus that the circus could use Courtland Field provided they had a local civic organization as a sponsor.

Mr. Moore stated that Nelson County had requested that the Board pass a resolution of support for the Oak Ridge Estate Train Station as one of the passenger train stops on the TransDominion Express. Mr. Moore stated that there had been some questions about the route of the train and

the information provided in the Board book stated that the train route would come from Bristol to Lynchburg and from Lynchburg passengers could continue on to either Washington D.C. or to Richmond.

After some discussion, Mr. Carter made a motion seconded by Mr. Carwile that the following resolution be passed:
WHEREAS, the feasibility of expanded passenger rail service from the Washington D.C. and Richmond, Virginia areas to Bristol, Virginia, has been studied and documented by the Virginia Department of Rail and Public Transportation; and,

WHEREAS, local and statewide support is being established for the purposed Bristol Passenger Rail Service, or TransDominion Express; and,

WHEREAS, the VDRPT study did not identify or recommend the location of a passenger station in Nelson County to be served by the TransDominion Express; and,

WHEREAS, the passenger station located at the historic Oak Ridge Estate, is an ideal location for inclusion as a destination stop of the TransDominion Express; and,

WHEREAS, service to Nelson County via the historic Oak Ridge Train Station could lead to economic, tourism, environmental and other social benefits for Nelson County and its citizens; and,

WHEREAS, on February 7, 2000 the Appomattox County Board of Supervisors adopted a resolution in support of the proposed expanded passenger rail service project; and,

WHEREAS, the Appomattox County Board of Supervisors recognizes the importance and is unanimously supportive of the establishment of the historic Oak Ridge Train Station as a destination stop of the TransDominion Express;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby affirms their complete support for the inclusion of the historic Oak Ridge Train Station as a destination stop of the proposed Bristol Passenger Rail Service project, or TransDominion Express;

BE IT FURTHER RESOLVED, that the Appomattox County Board of Supervisors hereby encourages and requests the implementation of the Bristol Passenger Rail Service project by the Commonwealth of Virginia, including the designation of the historic Oak Ridge Train Station as a depot for the rail passenger service.
Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that Ms. Ferguson had received a price of $800 from the **Times-Virginian** Newspaper to run a full copy of the Intensive Livestock Ordinance in the newspaper and the EXTRA section of the paper. Mr. Moore stated that Ms. Ferguson felt that the County could not do this any cheaper. Mr. Carwile made a motion seconded by Mr. Hancock that the Board spend

$800 to print the entire Intensive Livestock Ordinance in the **Times-Virginian** Newspaper and the EXTRA section. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye;

Mr. Moore then stated that there were several convention and education requests for the Board to consider. Mr. Moore stated that Ms. Ferguson was requesting permission for Mr. Carroll to attend the U.S. Department of Commerce, Economic Development Administration Annual Conference in Atlantic City, NJ on March 5-7 at an approximate cost of $750. Mr. Carter made a motion seconded by Mr. Kendrick to approve the request. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that Ms. Ferguson was requested permission for Mr. Carroll to attend the Virginia Economic Developers Association Conference on March 16-17 in Williamsburg for an approximate cost of $300. Mr. Hancock made a motion seconded by Mr. Kendrick to honor the request. Vote : Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that Ms. Tina Carter needed to attend a continuing education course to maintain her landfill certification at an approximate cost of $275. Mr. Carter made a motion seconded by Mr. Kendrick that the Board honor the request. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore stated that there was an agreement from Craddock-Cunningham Architectural Partners regarding the Courthouse project. Mr. Moore further stated that given the previous action of the Board that this would be postponed until the Board reached a final decision regarding the Courthouse.

Mr. Moore then stated that Mr. Alton Dalton was requesting a special exception to the Subdivision Ordinance. Mr. Moore stated that since Ms. Ferguson was familiar with the situation and also familiar with the Subdivision Ordinance that he would recommend that this be put off until the next meeting. Mr. Carter pointed out that Mr. Dalton was present at the meeting. Mr. Dalton came forward and explained to the Board what his intentions were for the property. After Mr. Dalton's explanation it was the consensus of the Board to wait until the next meeting to make a decision.

Mr. Moore then stated that there were several supplemental appropriations before the Board. Mr. Moore stated that the Sheriff was requesting $2,500.00 to pay Mr. Buddy Carson for his sick leave upon his retirement. Mr. Moore stated that the Board had established this policy previously. Mr. Carwile made a motion seconded by Mr. Carter to approve the $2,500.00 appropriation for Mr. Carson's sick leave upon his retirement. Vote: Mr. Moore, aye; Mr, Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore stated that Ms. Margie Reider was requesting $334.00 to purchase blinds for the Library. Mr. Carter made a motion seconded by Mr. Kendrick to approve an appropriation of $334.00 for the purchase of blinds for the library. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr.

Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore stated that the library had also received $5,000.00 matching grant from the Library of Virginia. Mr. Moore explained that with the $5,000.00 match the total grant would be $10,000. Mr. Carwile made a motion seconded by Mr. Kendrick to appropriate the $5,000 to the library to match the grant. Vote: Mr. Moore, aye; Mr, Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then explained that Ms. Cindy Smith was requesting an additional $96.12 from the Board of Supervisors to pay for one-third of the cost to hold the Community of Candles event. Mr. Carter made a motion seconded by Mr. Hancock to appropriate $96.12 for the Community of Candles. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr, Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next stated that the Board needed to appropriate the $19,328.02 to Country Haven Estates Homeowners Association for over payment on a rural addition as explained by Ms. Lindsay. Mr. Carter made a motion seconded by Mr. Hancock to appropriate the $19,328.02 to Country Haven Estates Homeowners Association. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that the School Board was requesting $410,000.00 to pay for architects fees through June 30, 2000 for the elementary school. Mr. Carroll stated that if the Board was going to appropriate these funds tonight, but intended to finance these services through any form of debt service that the Board would need to pass resolution stated this and refer back to the resolution on subsequent appropriations. Mr. Carwile stated that he felt the Board should appropriate these funds on a monthly basis as needed instead of as a lump sum. Mr. Kendrick agreed with Mr. Carwile that this was the appropriate way to handle the appropriation because he had some concerns with the overall cost projections for a new school. Mr. Moore stated that he had no problem with monthly appropriations.
Mr. Kendrick made a motion seconded by Mr. Carter that the following resolution be passed by the Board :

Whereas, the Appomattox County Board of Supervisors has determined to build a new elementary school, and

Whereas, the Board has also instructed the Appomattox County School Board to acquire the services of an architectural firm to design and prepare bid documents for the construction of the new elementary school.

Therefore Be It Resolved, that the Appomattox County Board of Supervisors expects that monies spent on the new elementary school project will be financed from debt proceeds.

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Kendrick then made a motion seconded by Mr. Carter that the Board appropriate $90,000 to

the School Board for architectural fees relating to the design of a new elementary school for January and February 2000. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that the Board needed to transfer $40,320.65 from the IDA bond to the general fund to replace the fire truck payment that was to be paid from the bond fund. Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $40,320.65 from the IDA bond fund to the general fund for the fire truck payment. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that the Law Library was requesting the payment of bills in the amount of $1,283.01. Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $1,283.01 for the law library bills. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then explained that $25,125.00 should be transferred from the Trigon Employee Healthcare Fund to pay employee premiums for the remainder of FY2000. Mr. Kendrick made a motion seconded by Mr. Carwile to transfer $25,125.00 from the Trigon Employee Healthcare Fund to pay for employees health care premium costs for the remainder of FY 2000. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then stated that information was contained in the board book regarding Governor Gilmore's Operation Spruce Up and that Board members should pass this along to any interested groups in the community. Mr. Carter requested that Mr. Carroll send a copy to the Citizens Forum as they had expressed an interest in this at its last meeting.

Mr. Moore next asked the Board if it had any questions concerning the letter that Mr. Carroll had sent Delegate Watkins M. Abbitt, Jr. regarding the County's concern with pending landfill legislation. The Board stated that they thought the letter properly addressed the Board's concerns on the matter.

Mr. Moore then stated that the Pamplin Volunteer Fire Department was requesting that the Board appropriate $30,000 for the renovation of the old fire house into a community center. Mr. Kendrick explained that he had spoken with the Pamplin Volunteers and that he felt that the Board should make the appropriation based on the fact that the County used the building for voting and that the group had already begun the work. Mr. Kendrick stated that he was not necessarily asking for a vote tonight, but that he wanted the Board to at least consider the request. Mr. Moore asked Mr. Kendrick what was Pamplin going to use the train station for? Mr. Moore also stated that he was under the impression that the train station was being renovated into a community center and that the County had already given the Pamplin Volunteer Fire Department $40,000 this year for the new fire station and he was not aware the Board was going to be asked for this additional money.

Mr. Kendrick stated that the renovation of the old fire house was to be used primarily by the fire department and other groups to hold meetings as well as voting. Mr. Carwile stated that it would

be a long time before the old train station could be utilized. Mr. Kendrick agreed. Mr. Carwile asked if the fire department still maintained ownership of the old fire house. Mr. Kendrick stated that he felt that they did retain ownership. Mr. Carwile stated that he felt that this was a very modest request. Mr. Carwile asked if they wanted the money to be considered at budget time or at the present time? Mr. Kendrick stated that they would like the money now because they had already begun the work. Mr. Kendrick stated that if the Board did not want to consider it at this time that he would like it to be considered during the budget process, but he would prefer to appropriate the money now.

Mr. Moore stated that he would like to see it go through the budget process because of the large number of expenditures already facing the Board. Mr. Carwile stated that he respected Mr. Moore's opinion , but that he would like Ms. Ferguson to research to see if there was some money in the budget that could be diverted to this project. Mr. Kendrick stated that the group had arranged for half of the money and was also putting in their time and that he felt that when people volunteer their time that the least the County can do is provide the facilities.

Mr. Moore then stated that Robinson Farmer Cox had adjusted the financial forecast to show the Courthouse and new elementary school being financed in FY 2001 and the debt service for these projects beginning in FY 2002. Mr. Kendrick discussed that the number used for the school was $9 million and that the proposed school was for $13 million so the figures shown on the financial forecast would be even worse with a higher school cost figure. The Board agreed that this was a grave concern.

The Board then asked Mr. Carroll to then go over the financial forecast. Mr. Carroll proceeded to explain the financial forecast from Robinson Farmer Cox focusing primarily on the tax rates, debt service, and reserve fund balances. Some discussion followed the financial forecast.

Mr. Moore stated that a closed session was needed for a legal and a personnel matter. Mr. Carwile asked Mr. Moore if he could go back to Supervisors Concerns for a moment. Mr. Carwile stated that he would like the Board to read the package from the Lighthouse of Love, and that the Board consider joining with the other people that had supported them. Mr. Carwile asked that the Board consider giving them a Resolution of Support for all the good work that the Lighthouse of Love was doing in the community. Mr. Carwile stated that the resolution would cost the Board nothing, but that it would probably mean a lot to the Barnes'.

Mr. Moore asked the other members of the Board about their feelings. Mr. Carter stated that he was not sure that they would not be duplicating some of the services already available within the County, but that he felt they were trying to help their fellow humans and should be commended for that. Mr. Hancock asked whether the project had any staying power. Mr. Moore stated that it was not a planned situation. Mr. Moore continued that the Barnes' and their eight children had tried to rent a place from Mr. Carwile and that Mr. Carwile did not have a place large enough for them, but he had suggested the motel. After they had the room that they started providing the services they had described earlier. Mr. Carwile stated that Mr. Moore was correct. Mr. Kendrick stated that he felt the resolution was a good thing to do. It was the consensus of the Board that Mr. Carroll draft a Resolution of Support to be approved at the next meeting.

Mr. Carter stated that he had two Supervisor's Concerns that he would like to bring up at this time. Mr. Carter first stated that the Social Services Board Chair and Vice -Chair for the coming year were David Austin and Lacy Webb, respectively. Mr. Carter also stated that the initial estimates were that the Social Services budget would possibly increase by 8%.

Mr. Moore asked if there was any more business before entering into a closed session to discuss a legal and personnel matter. At 8:20 P.M. Mr. Kendrick made a motion seconded by Mr. Hancock that the Board enter a closed session in accordance to Sections 2.1-344A(1) and 2.1-344A(7) Of the Code of Virginia. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Kendrick at 9:18 P.M. seconded by Mr. Carter it was resolved that the board would return to regular session. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Kendrick seconded by Mr. Carter the following resolution was adopted:
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore asked if there was any business from the closed session that needed action at this time. Mr. Carter made a motion seconded by Mr. Hancock that the Board appropriate $628.33 to pay Southern Title Insurance for a title insurance policy on the tract of land purchased from Courtland Realty for the new elementary school and that the Board also appropriate $1,000.00 plus filing fees for the condemnation of the property on State Route 26 that was needed for the construction of the industrial access road to serve the industrial park. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick aye.

Mr. Moore then asked the Board if there were any other matters to discuss.

Mr. Carwile stated that he felt that it was time for the Board to get serious before it caused serious damage to the tax payers of the county. Mr. Carwile continued that he felt that the Board

should ask the community college for a concrete plan of usage for the current elementary school within a given period of time. Mr. Carwile stated that this was one reason he had suggested only making monthly appropriations to the school board for architectural fees. Mr. Carwile continued that he was suggesting that the Board get on the ball and do what was right with reference to the school. Mr. Carwile concluded that he would like for Mr. Hancock and Mr. Kendrick to state their views because they had not had a voice in the earlier decision, but they would be held accountable.

Mr. Carter stated that he was concerned with the proposed cost of the new elementary school at $13 million. Mr. Carter stated that the Board needed to hold the cost of the project closely to the $9 million cap previously issued. Mr. Carter pointed to school construction costs in nearby counties that were considerably less than the projected cost per square foot.

Mr. Kendrick stated that the proposed cost per square foot for the new school was higher than those of surrounding counties and that he agreed with Mr. Carter that $9 million should be the cap. Mr. Kendrick also stated that he would like to set a time frame for the development of an answer to uses for the current elemntary school. Mr. Kendrick further stated that the Board could go through the bidding process and stop if there was no answer for the continued use of the current elemantary school. Mr. Kendrick stated that he felt it was the school board's responsibilty to find a use for the building. Mr. Kendrick stated that if left vacant there would still be an added expense for keeping the current elementary school.

Mr. Moore stated that he did not have a problem with the new school, but that he was very concerned about what was going to happen to the old school. Mr. Moore stated that there were probably many uses for the old school, but that these would also cost significant money to renovate for the new uses. Mr. Moore stated that an air conditioning system would have to be added and that a roof would have to be replaced on the third grade section. Mr. Moore continued that there are lots of problems at the current elementary school, but that they could be corrected. Mr. Moore also stated that he would not have a problem using the school for something else, but that whatever the use it would cost to get it in shape one way or the other.

Mr. Carter stated that he was still 100% for a new school. Mr. Carter stated that he had two pages of notes of various problems with the current middle school. Mr. Carter stated that he was an advocate for a new school, but he wanted it to be reasonable.

There was some additional discussion concerning the current problems at the elementary school. Mr. Kendrick stated that if you can walk into a new school and not have a cost for the old school then you have done a good thing. If you go into a new school and you have to spend $1.5 - 2 million to fix up the old school to where it would suitable to have someone utilize it, then that might not be the right decision. Mr. Kendrick stated that he did not have a problem with a new school, but that the speed with which the Board moves toward a new school needs to be in agreement with the load that will have to be carried.

The Board continued their discussion regarding the problems with the current elementary school, the $9 million cap for the new school, and the possible utilization of the old school. The Board

reached a consensus that Mr. Carter would speak with Dr. Walter Krug, School Superintendent, and tell him that the Board wanted the school board to hold to the $9 million dollar cap, for the school board to quickly determine a use for the current elementary school in a way that does not cost the County, and for the school board to own the architect's drawings.

At 10:05 P.M. having no further business, Mr. Carwile made a motion seconded by Mr. Kendrick that the Board adjourn to a recessed meeting with Hal Craddock on February 15,2000 at 6:30 P.M. in the Courthouse to discuss the Courthouse project. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Russell H. Moore, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on February 15, 2000 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Moore called the meeting to order at 6:38 P.M. and asked Mr. Carter to deliver the invocation.

Mr. Moore then explained that the purpose of the meeting was for Mr. Hal Craddock to review the scenario for the Courthouse project in order to bring the new members of the Board up to date.

Mr. Craddock then provided handouts with advantages and disadvantages of new construction and renovation. Mr. Craddock also, provided handouts of cost projections for both options.

After Mr. Craddock's presentation he answered questions of the members of the Board.

A lengthy discussion followed.

After discussion, Mr. Hancock made a motion seconded by Mr. Carter to adjourn at 7:43 P.M.

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Russell H. Moore, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on February 22, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Darrel Puckett - County Attorney

Mr. Moore called the meeting to order and asked Mr. Hancock to deliver the invocation.

Mr. Moore then called on Mr. Jack Hance with the Census bureau to appear before the Board.

Mr. Hance thanked the Board for the opportunity to come before them to talk about the census. Mr. Hance gave a brief background for the census and explained the importance of the census for Appomattox County. Mr. Hance then asked the Board for their support in getting the people to return their forms so the county could get an accurate count. Mr. Hance also explained that he needed the Boards help in recruiting people to help gather the information on the citizens that did not return their census forms. Mr. Hance again thanked the Board for their support.

Mr. Moore thanked and excused Mr. Hance and called for Supervisor Concerns.

Mr. Carwile began that several weeks ago the Board had asked Mr. Carroll to look into funds to help the Pamplin Volunteer Fire Department with their renovation project. Mr. Carwile asked Mr. Kendrick if he had an opportunity to look into this matter.

Mr. Kendrick explained that he was working with Mrs. Ferguson on this at the present time.

Mr. Carwile then stated that for the past several weeks he had read the media, both local and Lynchburg, with much concern. Mr. Carwile continued that the one thing that caught his attention was the term "unethical". Mr. Carwile stated that this did not set too well with him

because different ones that had written letters to the editor were using this term. Mr. Carwile continued that when this term came up it struck him as to what was really behind this remark. Mr. Carwile stated that it went back to a meeting that was held and after executive session the Board came out and conducted business of the County as usual. Mr. Carwile continued that he as one Supervisor would like to say that the people in attendance left the Courtroom of their own volition. Mr. Carwile continued that they returned from executive session and were addressing finances of the County that is very dear to his heart to do the right thing that the people put the Board members there to do. Mr. Carwile continued that he only wanted to remind the citizens that the Code gave the Board the authority to conduct business of the County as long as they have three members in attendance. Mr. Carwile in closing stated that he did not know how other members of the Board felt but he did not take what was said in good taste. Mr. Carwile asked if any other Supervisor had comments on this matter?

Mr. Kendrick addressed the Chair and stated that he had written a statement because he did not want what he said to be misconstrued or taken out of context. Mr. Kendrick began that he was going to recommend that the Board issue a protest letter to the News & Daily Advance for their misleading articles and their malicious attack on the integrity of the Appomattox County Board of Supervisors designed to excite the audience but not to inform the public. Mr. Kendrick continued that the Board meeting of February 7, 2000 was legal, open and did have an agenda item, financial forecast, under additional agenda items. Mr. Kendrick continued that for the citizens of Appomattox who felt that the Board did this or gave the perception, the Board did not intend for that to happen. Mr. Kendrick continued that the Board was sincerely concerned about the finances and that was all they were concerned with. Mr. Kendrick stated that he was aware that the media had a field-day with this matter and he was sorry to the citizens for the Board having played a part in allowing this to go on. Mr. Kendrick assured the citizens that the Board was there to do the County's business. Mr. Kendrick continued that he did not like being made fun of and he was sure that the School Board felt the same way. Mr. Kendrick stated that to follow up these comments he would like to apologize to the School Board and the School Administration and his fellow Board members for his ignorance concerning who is responsible for determining the future use of the old elementary school.

Mr. Kendrick continued that in addition to this he would like to make a motion that the Board rescind the request/requirement conveyed by his fellow Board member Sammy Carter as a result of their February 7, 2000 meeting, that the school administration find a use for the old elementary school prior to moving forward with the construction of the new elementary school.

Mr. Kendrick stated that he would like to take this requirement away. Mr. Kendrick continued that he was the one who came up with this requirement because he felt in all honesty that the school administration had occupation and he felt that it would be fair if they helped find a use for the old building. Mr. Kendrick stated that he would be more than willing to help in any way that he could to find a use for the old building. Mr. Kendrick continued that he would also like to propose that a committee be formed to plan the use of the current elementary school with the sole objective being to minimize the tax burden to the citizens of Appomattox County be the time the new elementary school is complete. Mr. Kendrick stated that this gives us plenty of time to resolve the issue and reduce the tax burden. Mr. Kendrick continued that if any of the Board had

made the school administration feel that the Board was not a part of this and the school administration was by themselves in this process then he was sorry for this as well.

Mr. Kendrick again stated that he would like for his motion to be addressed to rescind this action placed on the School Board.

Mr. Kendrick made a motion seconded by Mr. Carter that the Board rescind the earlier requirement placed on the School Board for them to find a use for the current elementary school.

Mr. Moore called for a vote.

Mr. Carwile asked Mr. Moore to state the motion.

Mr. Kendrick again stated that the motion was that the Board rescind the request/requirement conveyed by fellow Board member, Sammy Carter, as the result of the February 7, 2000 meeting, to the School Board, School Administration that they find a use for the old elementary school prior to moving forward with the construction of the new elementary school.

Mr. Moore called for the vote:

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carwile stated that he would like to follow up with a Supervisor Concern that he would like to remind any and all in attendance that an agenda is simply an orderly flow of a way to conduct the business of what's on the agenda. Mr. Carwile continued that it does not limit the Board in conducting business when they are in session.

Mr. Moore called for other Supervisor Concerns.

Mr. Carwile addressed the Chair and stated that as he was getting ready for the meeting tonight he had several calls. Mr. Carwile continued that it was his understanding that something took place today at the Courthouse in reference to the Courthouse and that Mr. Moore was involved, and he questioned if Mrs. Ferguson was involved. Mr. Carwile stated that he had called the County Administrator's Office and talked with Mr. Carroll and he was not clear as to what went on. Mr. Carwile asked Mr. Moore if he would tell the other members of the Board what went on?

Mr. Moore began that he would be glad to explain. Mr. Moore stated that he was called last week and asked if he would do an interview on the Courthouse renovation. Mr. Moore stated that word was left with his wife and when he called back he talked with Cynthia Tatum and she told him she would like to come down and interview him on the Courthouse situation and how he felt about it. Mr. Moore stated that the interview was scheduled for Tuesday at 2:00 P.M. and that was all he knew about this. Mr. Moore continued that he was invited and that he did not instigate the interview, that no one here instigated the interview, it was instigated by WSET. Mr. Moore stated that he did not know where it came from or where it originated but they asked him

to do the interview and he did. Mr. Moore continued that it was not instigated, as far as he knew, by the Board or in the Office. Mr. Moore stated that he told Mr. Carroll about it but whether he knew about it before that he did not know.

Mr. Carwile then asked Mrs. Ferguson if she was aware of the interview?

Mrs. Ferguson stated that she was unaware of the interview until Mr. Kendrick told her on Friday that he had been approached by the same group concerning an interview. Mrs. Ferguson asked Mr. Kendrick if this were not correct?

Mr. Kendrick stated that was correct.

Mr. Carwile stated that he was not aware of any of this going on.

Mr. Moore stated that he did not think that anyone was aware of this except himself and Mr. Kendrick because he was contacted and he guessed that Mr. Kendrick was contacted.

Mr. Kendrick stated that he had been contacted.

Mr. Carwile then asked Mr. Carroll if he was aware of any of this?

Mr. Carroll stated that he knew nothing of this until Mr. Moore told him today.

Mr. Moore then called for other Supervisor Concerns.

Hearing none, Mr. Moore moved on to the Administrative Items.

Mr. Moore explained that the County had asked the School Board some time back if they had a use for the house the County owns on Route 727 and they had provided a plan for use of the house as an alternative school.

Mr. Carwile asked Dr. Krug if he would come forward and give a brief explanation for the proposed use of the house on 727.

Dr. Krug came forward and explained the proposed use for the house and the alterations that will need to be made.

After discussion, Mr. Carwile made a motion seconded by Mr. Kendrick to honor the schools request for the use of the house on Route 727. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore thanked and excused Dr. Krug.

Mr. Moore next explained that it was necessary for the Board to appoint road viewers due to a request from Mr. Phillip Jones, Country Haven Estates Homeowners Association for several

streets to be taken into the state system. Mr. Moore continued that these appointments could be made at the next meeting.

Mr. Moore then explained that a resolution of abandonment was necessary for portions of Route 634.

Mr. Carwile made a motion seconded by Mr. Kendrick to adopt the following resolution:

WHEREAS, Route 460, Project 0460-006-107, C501 from 0.064 mile West ECL Appomattox to 6.626 mile East ECL Appomattox has been constructed and approved by the State Transportation Board, and

WHEREAS, Construction of Route 460 has caused a section of existing roads to follow new location, as shown on the attached sketch titled "Changes in the Secondary System Due to Relocation and Construction on Route 460, Project 0460-006-107, C501" and dated at Richmond Virginia, February 3, 2000.

BE IT RESOLVED, that the portion of Route 634, Section 1, as shown in blue on the aforementioned sketch having a total length of 0.10 mile be abandoned as a public road pursuant of Section 33.1-155 of the Code of Virginia of 1950, as amended.
Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next explained that there was an appointment necessary to the Central Virginia Community Services Board and that the County had received an application from Mr. Lynn Doss for this position.

Mr. Carter made a motion seconded by Mr. Hancock to appoint Mr. Lynn Doss to the Central Virginia Community Services Board to fill Mrs. Terri Conrads unexpired term. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then explained that Mr. Jesse Rosser, Jr. has resigned from his appointment to the Central Virginia Area Agency on Aging Advisory Board due to the fact that his daughter serves on the CVAAA Board of Directors.

Mrs. Ferguson explained that the County had two people serving on the CVAAA Advisory Board, one in an at-large position, and that she was going to request that the person in the at-large position be moved into the Appomattox position.

Mr. Moore next explained that Mrs. Bonnie Tilliotson has requested the girl scouts be allowed to have a nature program in April for all the girl scout troops in the County and have animals on display in the Community Center. Mrs. Ferguson explained that the Community Center policy for use of the building prohibited animals of any kind and that Mrs. Tilliotson was requesting the Board waive the rules for this event.

After discussion and by consensus of the Board it was agreed that the Community Center policy be upheld.

Mr. Moore then presented the bids for the addition to the Sheriff's Office and explained that the low bid was received from J. E. Sears in the amount of $277,410.00.

Mr. Carter made a motion seconded by Mr. Kendrick to accept the bid for the Sheriff's Office addition from J. E. Sears in the amount of $277,410.00. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next explained that at the previous meeting the Board had agreed to make a decision on the Courthouse project at this meeting. Mr. Moore explained that Mrs. Ferguson had been unable to talk to Judge Blanton prior to the Board Book being completed about whether a referendum was required for moving the Courthouse across the street. Mr. Moore asked if anyone wished to make comments on this matter?

Mr. Carwile addressed the Chairman and asked Mr. Puckett, County Attorney, for an opinion on the issue of whether a referendum was necessary in order to move the Courthouse across the street. Mr. Carwile continued that he felt this issue could have some bearing on the decision that the members of the Board had to make. Mr. Carwile again asked Mr. Puckett for his opinion on this issue.

Mr. Puckett began that with regards to whether you have to have a referendum vote he had spoken to Judge Blanton and our local Delegate in the House of Delegates and that he had one Attorney General's opinion that he had received where this issue had come up once before. Mr. Puckett stated that he has contacted the Attorney General's office for further clarification. Mr. Puckett continued that the issue of whether or not you have to have a referendum to relocate the Courthouse all goes back to whether you relocate to what is classified as contigious property. Mr. Puckett explained that there were a couple of definitions of contigious. Mr. Puckett explained that one definition was that it actually physically touches the property from which you are locating from to the one that you relocate to. Mr. Puckett explained that the other definition was "nearby". Mr. Puckett continued in the one Attorney General's opinion that he had secured, in that case, as he understands the facts, that particular jurisdiction was attempting to relocate their Courthouse to another piece of property that was physically separated by several lots which were not owned by the County. Mr. Puckett continued that in our particular case it would appear to him, at least on the surface, that the property that the County owns across the road is a part of what we call our government complex. Mr. Puckett continued by explaining that we had Courthouse Square on this side of Court Street, a public right-of-way, and the Department of Social Services and the School Board building directly across from it and then we have the big field as a part of that land. Mr. Puckett explained that as he sees it the only thing that is dividing our land and the Government complex is a public right-of-way, which is Court Street. Mr. Puckett continued that with that in mind that land could in fact be deemed to be contigious. Mr. Puckett stated that it is nearby and the only thing that separated it is Court Street and with that in mind it appears to him that we could probably proceed without a referendum.

Mr. Carwile began that going back to what they had just heard he felt that this decision on the Courthouse was something that was in the hearts of many and in the Board's heart to make the right decision. Mr. Carwile continued that with what he has heard tonight that has a bearing on his decision he was going to ask the Board to put the vote off until the first meeting in March and at that time he would be prepared to make a recommendation to the Board one way or the other. Mr. Carwile continued that he felt the honorable judge would be understanding with the Board since it has been brought out by Hal Craddock that if the Board went with new construction they could gain two months. Mr. Carwile continued that with that in mind he would like to put it before the Board that this decision be put off for a vote definitely until the first meeting in March.

Mr. Moore called for other comments.

Mr. Carter asked Mr. Carwile if he thought that this time would provide him with any additional information that the Board has not already heard?

Mr. Carwile stated that yes, he was getting information for the utilization of the present Courthouse that could satisfy each member of the Board and please the public.

Mr. Kendrick began that his position is the same as it was at the last meeting and that is that he is still looking for a utilization plan for the present building and if it takes two weeks to come up with a plan he is willing to wait.

Mr. Moore stated that he was ready to vote tonight but if everyone else wanted to wait that was fine with him.

Mr. Carter stated that he was also ready to vote.

Mr. Moore stated that he felt we just kept putting this off and he did not know what another two weeks was going to do. Mr. Moore continued that the Board had been dealing with this for years and that the Board just didn't seem able to make up it's mind on anything anymore and that he gets disturbed that they can't make up their minds.

Mr. Carwile stated that he would make the stand and make the motion that this matter be put off until the first meeting in March. Mr. Carwile continued that at that time the Board would make a decision and he trusted that the Honorable Judge would agree with this small time frame that could be in the best interest of the County.

Mr. Hancock seconded the motion.

Mr. Moore called for a vote.

Vote: Mr. Moore, nay; Mr. Carter, nay; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

At 6:55 P.M. Mr. Moore explained that the Board would need to recess until after the public hearing.

Mr. Moore reconvened the meeting at 8:12 P.M. and turned the attention of the Board to item 10 on the agenda. Mr. Moore explained that Mr. Caldwell was meeting with the Board to try to explain the problem with this request.

Mr. Moore continued that the request was being made from Mr. Alton Dalton for a special exception to the subdivision ordinance to allow him to divide property on a private drive and give to his daughters.

Mr. Caldwell explained the requirements of the Subdivision Ordinance and why this particular type division could not be approved under the family exception.

A lengthy discussion followed.

After discussion and by consensus of the Board it was agreed that Mr. Caldwell should look into this to see if there was any way to approve this request. It was also suggested that Mr. Caldwell contact VACo to see if they know of a solution to this problem.

Mr. Moore thanked and excused Mr. Caldwell and presented a request for a supplemental appropriation for the payment on the Health Department/Administrative Office roof project.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate $33,525.00 to pay the next payment on the Health Department/Administrative Office roof project. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then presented a request from the steering committee that is working on the TransDominion Express for a donation from the County to help pay a lobbyist to support this issue with the legislature.
Mr. Carwile made a motion seconded by Mr. Hancock to approve a $500.00 donation to be applied towards a lobbyist to support the TransDominion Express. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then asked Mrs. Ferguson to report to the Board on the two public comment sessions that were held on the proposed Community Park.

Mrs. Ferguson explained that the sessions went well and that the majority of the people who came out and commented were interested in seeing separate fields for the soccer program. Mrs. Ferguson continued that there were several people who came from the Youth Association and they were mainly concerned with the Football fields, baseball fields and softball fields. Mrs. Ferguson also explained that the comments were all positive and people were very excited that this was finally becoming a reality. In closing Mrs. Ferguson explained that she felt that a lot of good input had been received and the next step would be to hire someone to do the engineering work and layout the fields.

Mr. Moore next presented a sample resolution that had been drafted in support of the Lighthouse of Love Outreach Center. Mr. Moore stated that there had been some suggestions that this matter

be tabled until the Board could get a few things straight on this.

Mr. Carwile stated that he did not pick-up on what Mr. Moore had said.

Mr. Moore stated that some members of the Board would like to table this for tonight in order to be able to do a little more evaluation on this request.

Mr. Carwile asked if this was just from Mr. Moore or was it from the Board?

Mr. Kendrick stated that he would like to see this tabled for right now, at least until the next meeting, in order to allow the Board time for research.

Mr. Carter stated that he agreed.

Mr. Carwile stated that he had no problem as long as it was from the Board.

Mr. Moore explained that an executive session was necessary under code section 2.1-344(A)(3) real estate.

Mr. Carwile stated that he wished to include personnel in the executive session also under code section 2.1-344(A)(1).

At 9:02 P.M. Mr. Carter made a motion seconded by Mr. Carwile to enter into executive session to discuss a real estate and personnel matter. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Carter at 10:12 P.M. seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

On a motion by Mr. Carter seconded by Mr. Carwile the following resolution was adopted:
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors

Vote: Mr. Moore, aye; Mr, Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye .

Mr. Moore explained that there was no action necessary from the executive session.

Being no further business, at 10:15 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to recess until 7:00 P.M. on February 23, 2000 in the School Board conference room. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr, Hancock, aye; Mr. Kendrick, aye.

Russell H. Moore, Chairman

A joint public hearing of the Appomattox County Board of Supervisor, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on February 22, 2000 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present(Board of Supervisors):
- Russell H. Moore - Chairman - Piney Mountain District
- Samuel E. Carter - Appomattox Courthouse District
- Frank H. Carwile - Wreck Island District
- Jesse L. Hancock - Falling River District
- Jerry G. Kendrick - Appomattox River District

Present(Planning Commission):
- Al Sears
- Kevin O'Brien
- Wayne Lewis
- Calvin Tanner
- Jesse Hancock

Present(Board of Zoning Appeals):
- James Cheatham
- Cliff Harvey
- Matt Lair
- Dale Campbell

Absent(Planning Commission):
- Claude A. Moore
- Jim Sefter
- Elizabeth Edwards
- Robert Johnson
- Marvin Mitchell

Absent(Board of Zoning Appeals):

Elizabeth Edwards

Also Present:
Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Darrel Puckett - County Attorney
Mr. Caldwell - Clerk to Planning Commission

Mr. Moore called the public hearing to order and stated that the purpose of the hearing was to receive public comment on several zoning petitions. Mr. Moore then stated the procedure for addressing comments.

Mr. Moore called on Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 00-410 of Appomattox County to rezone property from A-1 to R-2. Property is Tax Map Parcel No. 64-A-157, 64A4-1-E-11 and 64A4-15-E-45 and is located on Lee-Grant Avenue and Route 691.

Mr. Moore called for comments on this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 00-411 of CFW Intelos for a conditional use permit to allow 195-foot tower on property located on Route 732 between Route 460 and dead end. Property is zoned B-1 and is Tax Map Parcel No. 62-5-C.

Mr. Moore called for comments on this petition.

Ms. Paula Figgatt came forward and gave her address as Waynesboro. Ms. Figgatt explained that she was employed by CFW Intelos and that this application was for a 195 foot tower on property owned by Fred Jones along the 460 corridor bypass. Ms. Figgatt stated that they needed the placement of this tower to connect with the existing facilities to provide better service. Ms. Figgatt then provided pictures of the location for the Board to review.

Mr. Moore called for comments on this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 00-412 of CFW Intelos for a conditional use permit to allow 190 foot tower on property located on Route 460 between Route 648 and Route 667. Property is zoned A-1 and is Tax Map Parcel No. 73-A-6A.

Mr. Moore called for comments on this petition.

Ms. Paula Figgatt again came forward and gave her address as Waynesboro. Ms. Figgatt

explained that this was a similar application to the one just presented except that the tower height would be 190-feet. Ms. Figgatt continued that the property was owned by Scott King and located on Route 460 west. Ms. Figgatt presented pictures and drawings on this site. Ms. Figgatt stated that they had received one concern from a property owner about fencing this site and that they had agreed to install a higher fence than normal to address this concern.

Mr. Moore called for comments on this petition.

Mr. Franklin Vaughan came forward and stated that he was there on behalf of Spout Spring Ruritan Club and that he had a question concerning their closed circuit TV. Mr. Vaughan asked if the tower would interfere with the Ruritan Club's closed circuit TV which was used for bingo?

Ms. Figgatt explained that this issue had arisen before and that their towers did not interfere with closed circuit TV operation.

Mr. Moore called for other comments.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 00-413 of Birch E. Johnson for a variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to yard setback. Property is part of Tax Map Parcel No. 77-A-20 zoned A-1 and is located on Route 695 between Route 460 and Route 635.

Mr. Moore called for comments on this petition.

Mr. Joe Giles came forward and gave his address as Dillwyn. Mr. Giles explained that he worked for the mobile home company that was setting this unit up. Mr. Giles stated that he would like to add that when they made the application they contacted the adjoining property owners and that no one objected to this request. Mr. Giles continued that they had attempted to move the location of the drain field but there was no site available. Mr. Giles also explained that they had attempted to purchase a strip of property from Westvaco but they were not interested in selling. Mr. Giles in closing explained that they feel that they have exhausted every avenue to resolve this issue and asked that the Board approve the variance.

Mr. Moore called for other comments on this petition.

Hearing none and being no further petitions Mr. Moore declared the public hearing closed at 7:20 P.M.

Russell H. Moore

Russell H. Moore, Chairman

A joint meeting of the Appomattox County Board of Supervisors and the Appomattox County School Board was held on February 23, 2000 at 7:00 P.M. in the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Present (School Board):
Earl Pickett
R. W. Mitchell
Martha Pankey, late
Cliff Rhodenizer
Lannis Selz

Also Present:
Bob Moje, Architect
Bill Bradley, Architect
Walter Krug - Superintendent
Aileen T. Ferguson - County Administrator
Joyce Jamerson - Assistant Superintendent
Billy Perrow
Bobby Waddell

Mr. Pickett opened the meeting and turned it over to Mr. Bob Moje.

Mr. Moje presented a project schedule and information on the average construction cost of elementary schools in the State.

Discussion followed as to the cost per square foot for schools in our area instead of looking at the State average.

Questions were then asked concerning the architectural fees for the new school and how they were figured.

Mr. Moje explained that they had presented the School Board with a flat fee for their services based on the number of students that the school would house. Mr. Moje continued that their fee did not fluctuate with the cost of the project only with the size school, 600 or 800 student, that the County decided to build.

The school design was next discussed as to whether the architect would look at a two story structure as opposed to a one story.

Mr. Moje explained that they would certainly look at the option of a two story structure.

The next area of discussion was the roof design.

Mr. Moje explained that a flat roof was the single cheapest roof to install but not to maintain.

Questions were asked as to when the Board would know what the exact cost of the project would be.

Mr. Moje explained that the only way to know the exact cost of construction would be when the bids have been received for the project.

Discussion continued concerning the cost savings in building for the additional 200 students now instead of adding onto the building at a later date.

Mr. Moje advised that if the County could afford to build the 800 student school now then it was definitely the direction that should be chosen.

Discussion continued concerning the pro's of building an 800 student school at this time.

The consensus of the members of the School Board was that the 800 student school was important in order to keep from having to do a building project at the Primary School within the next few years.

After discussion, Mr. Perrow advised that the Board of Supervisors needed to give approval for the School Board to proceed with the application for the Literary Loan.

At 9:07 P.M., Mr. Moore reconvened the Board of Supervisors meeting and called for a motion to allow the School Board to submit the application for the Literary Loan on the Elementary School.

Mr. Kendrick made a motion seconded by Mr. Carter to authorize the forms to be signed on behalf of the Board of Supervisors for the Literary Loan Application for the elementary school and instruct the architect to proceed with the plans. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Pickett then called for a motion from the School Board that the same approval be given in order to proceed with the application process.

Mr. Selz made a motion seconded by Mrs. Pankey that the School Board submit an application for a Literary Loan for the new elementary school project. Vote: Mr. Pickett, aye; Mr. Mitchell, aye; Ms. Pankey, aye; Mr. Rhodenizer, aye; Mr. Selz, aye.

Being nothing further it was agreed that the Board's would meet next on March 23, 2000 at 7:00 P.M. in the School Board conference room with the architect for an update on the progress of the

plans.

Mr. Hancock made a motion seconded by Mr. Carter to adjourn. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Russell H. Moore, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on February 28, 2000 at 6:00 P.M. at Appomattox County High School in the cafeteria, Route 727, Appomattox, Virginia.

Present:

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Mr. Caldwell - Clerk - Planning Commission
Wayne Lewis - Planning Commission
Al Sears - Planning Commission

Mr. Moore called the meeting to order and asked Mr. Carter to deliver the invocation.

Mr. Moore then introduced Mr. Wayne Lewis, a member of the Appomattox County Planning Commission, and stated that Mr. Lewis would present a brief overview of the proposed ordinance. Mr. Moore continued that after Mr. Lewis' presentation there would be a five minute recess in order to allow citizens time to review the overlays that Mr. Lewis had prepared. Mr. Moore then stated that each individual would be given an opportunity to address comments to the Board and explained the procedure for addressing comments.

Mr. Moore then asked Mr. Lewis to proceed with his presentation.

Mr. Lewis began by saying that the proposed ordinance had been published in it's entirety in the newspaper and that copies were available at the door for those that wished to receive them. Mr. Lewis then read the intent of the proposed ordinance and gave a very informative presentation explaining the highlights of the ordinance as he saw them.

Mr. Moore then called for a brief recess in order to allow citizens time to review the materials provided by Mr. Lewis.

Mr. Moore then reconvened the meeting and called for comments.

Mr. Jack Dunavant came forward and gave his address as 411 Woodlawn Drive, Halifax, Virginia. Mr. Dunavant explained that he was Chairman of Southside Concerned Citizens. Mr. Dunavant continued that this group was strictly a volunteer organization that has studied intensive swine farming in depth. Mr. Dunavant stated that they were not familiar with the cattle but they were very familiar with swine. Mr. Dunavant stated that they were a very farm friendly group that was very much interested in preserving the family farm. Mr. Dunavant continued that this issue was not about farming it was about industrial farming. Mr. Dunavant then provided his background and experience with swine farming. Mr. Dunavant continued that this was not farming when you raised hogs in a metal building, on a concrete slab that never saw the light of day. Mr. Dunavant continued that these animals are so sick from breathing the foul air that they are on daily doses of antibiotics just to stay alive. Mr. Dunavant stated that the hogs were owned by the Company and fed on out of state grain brought in by the company. Mr. Dunavant continued that the farmer was a share cropper. Mr. Dunavant then told the Board about the hog farming operations in Halifax County. In closing Mr. Dunavant stated that he did not feel that the set-backs in the proposed ordinance were adequate. Mr. Dunavant continued that the odor travels well over two miles. Mr. Dunavant suggested that the proposed 300' setback from the centerline of roads and streams should be 3000'. Mr. Dunavant thanked the Board for consideration of his comments.

Mr. Moore then recognized Ms. Lorraine Potter.

Ms. Potter came forward and gave her address as 126 Mason Lane, Gladys, Virginia. Ms. Potter began by saying that she had friends and relatives that live in Appomattox. Ms. Potter continued that she has served as the citizen representative on the Campbell County intensive livestock committee. Ms. Potter stated that Campbell County studied and worked on this issue for two years before recommending the adoption of an ordinance. Ms. Potter then provided statements from various health professionals stressing caution in considering hog operations due to potential health risks. Ms. Potter provided this information in handout form and it can be found on file in the Board File for the month of February 2000. Ms. Potter explained that there were several important things that she felt needed to be changed in the proposed ordinance and they are as follows:

1- require contiguous acreage
2- include setbacks from rivers, streams and roads and
3-a cap or capacity limit per facility for hogs.

In closing Ms. Potter thanked the Board for their consideration of her comments.

Mr. Moore next called on Mr. Dennis Torrence to come forward.

Mr. Torrence began by giving his address as Route 2 Box 506, Appomattox, Virginia. Mr. Torrence continued that he was a former farmer, a part time farmer now and a previous member of the Board of Supervisors. Mr. Torrence then thanked the Board for the opportunity to express his views on the proposed ordinance. Mr. Torrence began by saying that he felt the two previous speakers had been exactly right in saying that the problem was not with the dairy, beef, chickens,

A lengthy question and answer session followed. Mr. Torrence sited several articles that he had read concerning the nightmares involved with hog farming. Mr. Torrence continued that he would like to see several things get done that if anyone had valid suggestions concerning the proposed ordinance they should be presented in writing and given to the Planning Commission prior to March 25, 2000.

Mr. Torrence continued that there were a few things that he felt the Board had always tried to do in Appomattox County when they were talking about doing business. One was to seek a business that we would not have to be afraid of, two were business' that would not pollute the waters, and three were business' that would not pollute the air. In closing Mr. Torrence stated that he had several suggestions that he felt should be done. 1) Lower the acreage and setbacks except on the swine, 2) Increase the restrictions on the swine as much as the courts wouldl allow.

Mr. Moore then called for other comments.

Mr. Carl Hilbers came forward and gave his address as 10575 Redhouse Road, Red House, Virginia. Mr. Hilbers began by saying that he has been a farmer, he's been in construction and that he has been in real estate in Pennsylvania and New Jersey. Mr. Hilbers stated how much the population had increased in fifty years and asked what we were going to feed people if we did not have these type operations? Mr. Hilbers continued that industrial farming was coming in whether you want it or you don't because people are going to have to eat. Mr. Hilbers continued that the only thing that he could see the County doing was to take your best farm land, split the County in half, zone the best half agricultural industrial and make the laws so strict that no developing can be done in that area and only the other half of the County could be residential. Mr. Hilbers continued that way you could keep farming for quite awhile until industry and residential growth became so bad that it would choke the farms out.

Mr. Moore then called on Mr. Frank I. Jones to come forward.

Mr. Jones began by giving his address as Route 1 Box 2329, Spout Spring, Virginia 24593. Mr. Jones continued that he was concerned with the setback requirements from creeks and rivers. Mr. Jones stated that he owned a farm of 300 plus acres and that there were five creeks and one river on this farm. Mr. Jones continued that if a one mile setback is required from creeks and rivers he would not be able to do anything with his farm. Mr. Jones stated that if you sold an acre of land for someone to build a house then you would be required to build a new fence at great expense in order to achieve the required setbacks from residential areas. Mr. Jones continued that it appeared that the hog farming was the real problem and if that were true why not just say we don't want hog farming and leave everything else alone? Mr. Jones also stated that he disagrees with the two mile setback requirement from churches because there are so many of them in the County and it would greatly limit where farming could take place. Mr. Jones in closing asked the Board to make a decision and stick with it and not change it in six months.

Mr. Moore called for other comments.

Hearing none, Mr. Moore called for questions.

or turkeys but the problem was with the hogs. Mr. Torrence sited several articles that he had read concerning the nightmares involved with hog farming. Mr. Torrence continued that he would like to list several things that he had found in his studies of hog operations.
1. Intensive hog farming operations pay very little taxes, and
2. they employ very few people.
Mr. Torrence continued that there were a few things that he felt the Board had always tried to do in Appomattox County when they were talking about bringing in business. One was to seek a business that we would not have to be afraid of, two were business' that would not pollute the waters, and three were business' that would not pollute the air. In closing Mr. Torrence stated that he had several suggestions that he felt should be done. 1) Lower the acreage and setbacks except on the swine; 2) Increase the restrictions on the swine as much as the courts wouldl allow.

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Mr. Moore called for other comments.

Hearing none, Mr. Moore called for questions.

A lengthy question and answer session followed.

In closing Mr. Lewis suggested that if anyone had valid suggestions concerning the proposed ordinance they should be put in writing and given to the Planning Commission prior to March 15, 2000.

At 7:40 P.M. Mr. Moore declared the public hearing closed.

Russell H. Moore, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on March 6, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Darrel Puckett - County Attorney

Mr. Moore called the meeting to order and asked Mr. Kendrick to deliver the invocation.

Mr. Moore then called for additions or corrections to the minutes.

Mr. Carter noted several corrections that needed to be made.

Mr. Carter then made a motion seconded by Mr. Carwile to approve the minutes of the joint meeting of January 27, 2000, the recessed meeting of February 15, 2000, the regular meetings of February 7, 2000 and February 22, 2000, and the public hearing of February 22, 2000, as corrected. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr Kendrick, aye.

Mr. Moore next presented the bills for March 6, 2000 for approval.

Mr. Carter made a motion seconded by Mr. Carwile to approve the bills for March 6, 2000 as presented. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by explaining that she only had a couple of small items that needed the Boards attention. Ms. Lindsay explained that the first item was in the Boards Additional Items for Consideration, and that it was a resolution assuring VDOT that the necessary right-of-way has been obtained, and the Board guarantees all right-of-way necessary for the construction and maintenance operation for the industrial access bond road project.

Mr. Carwile made a motion seconded by Mr. Carter to adopt the following resolution:
WHEREAS, the Appomattox County Board of Supervisors and the Industrial Development Authority of Appomattox County are working to develop the Appomattox County Industrial Park, and

WHEREAS, the Board of Supervisors has entered into an agreement with the Virginia Department of Transportation to provide road upgrades and access by means of the Industrial Access Bonded Road project and

WHEREAS, all the necessary right-of-ways have been obtained by either the Industrial Development Authority or the Board of Supervisors.

NOW THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors do hereby guarantee all right-of ways necessary for the construction, maintenance, and operation of the industrial access bonded road project as set forth in Project # 0751-006-206, N501 and plats of said right-of-ways are filed in the Clerk's Office of the Circuit Court of Appomattox County , Virginia, in Plat Cabinet 1, Slide 31H and Plat Cabinet ___, Slide ____.
Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye;

Ms. Lindsay then informed the Board that the downtown enhancement project has started. Ms. Lindsay explained that the funds for this project do not come from the County's allocation. Ms. Lindsay informed the Board that the traffic pattern on Main Street would be one-way from now on.

Ms. Lindsay then reminded the Board of the preallocation hearing scheduled for March 29, 2000 and explained that it would be held at the Ramada Inn on the Expressway.

Ms. Lindsay then explained that she had checked on the problem at the Super 8 Motel and they have found that the problem is not on VDOT right-of-way and she is not sure if Super 8 will move the rose bush or not but they have said that they will.

Mr. Moore asked if anyone had concerns for Ms. Lindsay?

Hearing none, Mr. Moore thanked and excused Ms. Lindsay.

Mr. Moore then called on Mr. Hugh Dolan to come before the Board.

Mr. Dolan came forward and explained that his reason for coming before the Board was to ask that the Board consider repealing Section 87-1 of the County Code of Appomattox that makes it unlawful to hunt with rifles larger than 22 rim fire. Mr. Dolan then presented petitions signed by approximately 800 hunters in Appomattox County who are in favor of this request. Mr. Dolan continued that he understood that in order to change an ordinance the Board would have to hold two public hearings and he requested that the Board schedule these as soon as possible. Mr. Dolan then stated that after the public hearings if the Board decided to repeal the present ordinance Richmond would need to be notified prior to May 1 for this to be effective this hunting season.

Mr. Carwile stated that he had been approached by a number of hunters over the last several years with this same request.

Discussion followed.

After discussion Mr. Carwile made a motion seconded by Mr. Hancock to honor the request made by Mr. Dolan to hold public hearings regarding repealing Section 87-1 of the County Code of Appomattox concerning hunting with rifles larger than 22 rim fire and hold the public hearings at 5:30 P. M. on March 20 and April 3, 2000, and for the Board to take action on this at the April 17, 2000 meeting. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then thanked and excused Mr. Dolan and called on Mr. Charles Thomas Moses to appear before the Board.

Mr. Moses began by thanking the Board for the opportunity to speak to them on behalf of the old Courthouse. Mr. Moses continued that according to the figures he has seen it appears that if you build a new Courthouse across the street it will cost approximately 3.9 million dollars and that if you renovate the present Courthouse the cost is approximately 3.4 million dollars. Mr. Moses continued that he felt if the Board could come up with a solution for the use of the present building the Board would be glad to build a new courthouse. Mr. Moses stated that in his opinion if you built a new facility you would have a building that would last twenty or thirty years, it would house all three courts with one entrance door and one security guard. Mr. Moses stated that it was true that it would cost more money but if you signed a contract for 3.9 million you knew the cost. Mr. Moses continued that with renovation you never knew the unknowns that were involved. Mr. Moses provided information concerning similar projects in other counties. Mr. Moses then stated that he had found some funding sources for renovation of the present building. Mr. Moses continued that the first thing that needed to be done was to get the present Courthouse on the Virginia Landmarks Register. Mr. Moses explained that this would cost approximately three hundred dollars to get this done. Mr. Moses offered to pay this himself. Mr. Moses continued by providing information concerning tax credits for renovation of historical buildings. Mr. Moses continued that he had also spoken to our Representative Watkins Abbitt and that Mr. Abbitt had told him that money was also available through the General Assembly after you got on the State Historical Register and he would bend over backwards to get this money for Appomattox. Mr. Moses stated that the example Mr. Abbitt gave him was if you want

a 2 million dollar grant you have to come up with 50%. Mr. Moses continued that Mr. Abbitt stated that the Courthouse itself could stand for the County's 50% match. Mr. Moses in closing stated that he realized that nothing was certain but this is what had happened in the past and he hoped it would be available in the future. Mr. Moses also stated that as far as he knew this was the only turn of the century Courthouse left in the State of Virginia and he felt the Board should do what they could to preserve it.

Mr. Moore thanked Mr. Moses and called on Mr. Wayne Phelps to appear before the Board.

Mr. Phelps came forward and explained that he was representing the historical people of Appomattox County. Mr. Phelps explained that as the Board was aware, he represented the SCV and the Historical Society in efforts to save the Courthouse. Mr. Phelps continued that they had their own Board selected and that Mr. Moses and himself spearheaded it with Virginia Babcock, Bill Burke, Bill Williamson, Jimmy Drinkard, Eston Harvey, Harry Ferguson and Otho W. Martin, Jr. also working on this and Watkins Abbitt acting as their advisor. Mr. Phelps stated that he also polled by telephone eighty-eight business' in this County and that most of them were in support of building a new Courthouse, fifteen were in support of renovation. Mr. Phelps stated that history repeats itself and that you had to study history to realize this. Mr. Phelps continued that he felt that if the Board made a mistake and renovated the Courthouse, twenty years down the road we would be looking at a new one and that there would be a whole lot of unhappy taxpayers in this County. Mr. Phelps, in closing, asked that the Board put every effort and thought into this and make the right decision and build a new Courthouse.

Mr. Moore thanked and excused Mr. Phelps and called for Supervisor Concerns.

Mr. Kendrick began that he would like to make a motion that the Board change the format of their meetings to allow the executive sessions to take place in the beginning, followed by the public session and adjournment. Mr. Kendrick explained that his reason for this was to dispel any concern that the public may have concerning the Board's meetings.

Discussion followed.

After discussion, Mr. Carwile made a motion seconded by Mr. Kendrick to change the format of their meeting to have the executive session at the beginning of the meeting from 6:00 P.M. until 6:30 P.M. just before the appearances. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Kendrick then explained that he would like to make a motion that the Board appoint an Educational Advisory Committee consisting of one member of the Board of Supervisors, one member of the School Board and four citizens of the County, to advise with current and future educational needs including the use of the old elementary school. Mr. Kendrick stated that the purpose of this committee was to encourage the Board's to begin working together.

Mr. Carter stated that the Citizens Forum was also looking into uses for the old elementary school.

Mr. Kendrick explained that the issue was that a lot of this was getting played out in the paper and there was a lot of excitement involved in it. Mr. Kendrick continued that some of it may have merit and some may not have any merit. Mr. Kendrick explained that what he was looking for was a unity between the two Board's coupled with some citizen input.

Mr. Carwile addressed Mr. Kendrick and stated that Mr. Kendrick was catching his ear. Mr. Carwile continued that if he was understanding correctly Mr. Kendrick was supporting an advisory board of the suggested makeup. Mr. Carwile stated that this Board could go out and get information and bring back to the Board. Mr. Carwile continued that he thought that he understood Mr. Kendrick and that he understood that the purpose was to get the cross section in views and the input to let the people know that the Board was serious. Mr. Carwile asked Mr. Kendrick if the bottom line was to quieten down some of the instilled fears as to what the Board was going to do. Mr. Carwile asked Mr. Kendrick if this was the bottom line?

Mr. Kendrick answered that the bottom line is that when you have a joint meeting and the next day you find out in the paper that most of the people at that meeting didn't get the message that the Board was really going to build a new elementary school. Mr. Kendrick continued that there was an awful lot of fear and anxiety that resides in the community and he was looking for a way to dispel that and he felt that as a Board they were all behind that and he did not want the people to be upset when the Board was headed in the way that they probably want them to go but the rumors and lack of trust. Mr. Kendrick stated that he was looking for a group of advisors that could look into what the concerns are from the schools point of view, basically address the Board's concerns with finances and also be able to look at it from a taxpayers point of view. Mr. Kendrick continued that he was looking for the future needs of education, what facilities do we need beyond what we have in front of us, what will be needed five years from now? Mr. Kendrick stated how do we appropriate the monies and how do we play so that we don't have to get to this position to where we end up with more on our plate than we are capable of chewing. Mr. Kendrick stated that was what he was looking for.

Mr. Carwile stated that he could not help but say that he would have to support Mr. Kendrick on his pregnant idea and to support Mr. Kendrick as the appointment from the Board of Supervisors.

Mr. Kendrick made a motion seconded by Mr. Carwile to appoint an educational advisory committee consisting of one member of the Board of Supervisors, one member from the School Board and four citizen representatives and that Mr. Kendrick be the appointee from the Board of Supervisors. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore called for other Supervisor concerns.

Mr. Carwile began that he did not have a concern but more of a grievance. Mr. Carwile stated that his grievance was with the Legislative Body in Richmond. Mr. Carwile continued that the State of Virginia, with the many counties and the many schools, if they were serious in Richmond, and this would be from the Legislative Body to the ones that are over the schools, to the cost that it costs the localities in the State that here we are building new schools and the other

counties are doing the same thing. Mr. Carwile stated that he could not understand why they could not come up with a model to meet all specifications and criteria with simple lines and then offer you if you wanted to pay for the little extras, why they could not come up with a school that meets all the criteria, meets everything that is required and offer it to the localities, maybe two or three plans for each school, elementary, primary, middle and high schools. Mr. Carwile suggested that this could possible be done for a cost of $500.00. Mr. Carwile continued that there were considerable cost associated with architects and engineers fees that really took a lot of County money. Mr. Carwile asked if his suggestion made any sense? Mr. Carwile continued that he did not want to hear from an architect that he could not have a standard plan that couldn't be put in Appomattox because the sun rises in the east and sets in the west. Mr. Carwile asked if the Board could pass a resolution and ask the other counties to join with us and take this to VACo or wherever to see if the Board could not make inroads into accomplishing this. Mr. Carwile stated that many years ago he brought up the idea of the possibility of using tire chips in drain fields and today it is a reality.

Mr. Moore stated that it sounds good when you look at what funds the County was looking at now for architect fees for the new elementary school. Mr. Moore suggested that these funds could be used to pay for the school. Mr. Moore continued that the idea may be good but it would be a hard sell.

Mr. Carter agreed but stated that he did not know where they would start as a Board.

Mr. Carwile stated that he realized that he had thrown out something that he didn't expect to put to a test tonight but maybe the Commonwealth Attorney/County Attorney could check into this for the Board.

Mr. Carter stated that he had no problem with the Commonwealth Attorney looking into this.

Mr. Kendrick stated that nearly every major industry was already doing this. Mr. Kendrick stated that there was no sense in building the same house over and over again with different drawings. Mr. Kendrick continued that he agreed with Mr. Carwile.

Mr. Moore called for other Supervisor Concerns. Hearing none, Mr. Moore moved to the first Administrative Item which was Planning Commission recommendations from the February 22, 2000 public hearing.

Mr. Moore explained that the Planning Commission had recommended approvel of the three petitions from the February 22, 2000 public hearing.

Mr. Hancock made a motion seconded by Mr. Kendrick to approve the following petitions:

Petition number 00-410 of Appomattox County to rezone property from A-1 to R-2. Property is Tax Map Parcel No. 64-A-157, 64A4-1-E-11 and 64A4-15-E-45 and is located on Lee-Grant Avenue and Route 691;

Petition number 00-411 of CFW Intelos for a conditional use permit to allow 195 foot tower on property located on Route 732 between Route 460 and dead end. Property is zoned B-1 and is Tax Map Parcel No. 62-5-C; and

Petition number 00412 of CFW Intelos for a conditional use permit to allow 190 foot tower on property located on Route 460 between Route 648 and Route 667. Property is zoned A-1 and is Tax Map Parcel No. 73-A-6A. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next explained that when he became Chairman of the Board he had been serving on the Planning Commission and had asked Mr. Hancock to take his place on the Planning Commission. Mr. Moore continued that Mr. Hancock needed to be formerly appointed to the Planning Commission to replace Mr. Moore.

Mr. Carwile made a motion seconded by Mr. Carter to appoint Mr. Jesse Hancock to the Appomattox County Planning Commission replacing Mr. Russell Moore. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, abstain; Mr. Kendrick, aye.

Mr. Moore next presented a letter from Hurt & Proffitt regarding the landfills ground water monitoring status. Mr. Moore explained that it appears that everything is at the proper place regarding the ground water program.

Mr. Carwile stated that he had read this information over and that some of these requirements did not set well with him but we have to be in compliance. Mr. Carwile asked Mrs. Ferguson if she had anything to add? Mr. Carwile stated that he felt the Board would just have to accept what had been presented since he was not in a position to challenge the information. Mr. Carwile stated that he saw nothing to do but go along with it.

Mr. Moore stated that he agreed that we were at D.E.Q.'s mercy where the landfill was concerned.

Mr. Moore then presented a request from Emanuel Tire of Virginia for a six month extension from April until September to continue operating within the landfill under the current agreement. Mr. Moore explained that Emanuel Tire was awaiting the outcome of a contract negotiation to determine whether or not to stay in this area.

Mr. Carter made a motion seconded by Mr. Hancock to grant a six month extension, from April until September 2000, to Emanuel Tire of Virginia to continue operating within the landfill under the current agreement.

Mr. Carwile asked Mrs. Ferguson if she thought that this was truly a six month extension or was this a six months to regroup and stay with the County?

Mrs. Ferguson explained that negotiations were in the process with Emanuel Tire of Virginia for them to continue to operate from the landfill. Mrs. Ferguson explained that she felt the extension

was really for the purpose of ironing out the terms to see if they could afford to stay.

Mr. Moore called for a vote:

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then presented a request from the Stonewall Antique Power Association for a permit for their annual event and asked the Board to waive the bond requirement. Mr. Moore explained that all appeared to be in order.

Mr. Carwile made a motion seconded by Mr. Kendrick to grant a permit to Stonewall Antique Power Association for their annual event and waive the bond requirement. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next explained that Mr. Carwile had received a letter from Daniel A. Gecker concerning funding for rehabilitation of the Courthouse. Mr. Moore asked Mr. Carwile if he had anything to add to this.

Mr. Carwile addressed the Chair and explained that copies of this letter had been passed out in the Courthouse tonight. Mr. Carwile continued that he had met with Mr. Daniel A. Gecker and that he had been impressed with Mr. Gecker. Mr. Carwile said that he would like to let the other members of the Board know that Mr. Gecker wrote the code for the State of Virginia that is dealing with grant money and dealing especially with any building that is put on the Landmark and is certified. Mr. Carwile stated that he could take a lot of time explaining what had happened with the old Petersburg High School but he would not. Mr. Carwile stated that Mr. Gecker could not be with the Board at this meeting and he regretted that because he felt that maybe Mr. Gecker could answer a lot of questions that members of the Board might have. Mr. Carwile stated that all that he received from Mr. Gecker was in the Board Book at his request. Mr. Carwile stated that at this point he felt that it was open here tonight, he had been one that had been one that had put this down the line and he guessed that it was time for him to be recognized to speak with reference to the Courthouse renovation versus the new courthouse. Mr. Carwile asked the Chairman if he recognized him to speak on this matter?

Mr. Moore recognized Mr. Carwile.

Mr. Carwile addressed the Chair and stated that before he opened on the subject he would further request that each Board member be allowed to speak on the Courthouse issue starting from the right in consecutive order and he would further request that each Supervisor be allowed to speak without interruption, this being fair and equal to all five members. Mr. Carwile addressed the Chair and stated that after this round of input from each Supervisor he asked for a reasonable time for each Supervisor for rebuttal but not necessarily for a respond. Mr. Carwile thanked the Chairman. Mr. Carwile then stated that he turned his attention to those in attendance and his fellow Board members. Mr. Carwile asked the audience if he could be heard by all in attendance?
Mr. Carwile continued that he did not like to speak when his voice was bouncing off four walls

and a ceiling with no audience. Mr. Carwile thanked the audience for their attendance at the meeting for whatever reason. Mr. Carwile continued that the fate of Appomattox Courthouse was on the agenda to be decided tonight. Mr. Carwile stated that he would like to thank the Honorable Judge Blanton and all the Honorable Judges that have been understanding with this Board of Supervisors while the Board has been pursuing the reconsideration of the existing Courthouse. Mr. Carwile continued that his feelings were that the present Board should have the right to decide the fate of Appomattox Courthouse. Mr. Carwile continued that this Board would be responsible and accountable by the taxpayers and that this was his justification for this Board to make this decision. Mr. Carwile stated that taking note that the media was in attendance, in force, and that he did not have the comfort of using his Southern slang of youál so Mr. Carwile requested that all of you listen attentive as he laid out his plan why he believes the right thing to do is build a new Courthouse for longevity on the land that was purchased by the previous Board for that sole purpose. Mr. Carwile stated that his plan would be to put the existing Courthouse on the State, not National, historical marker and have control over it by the local governing body, build a new courthouse on reference, Courtland field, to house all three courts, give the Honorable Judge the new Courthouse, give him the new Cadillac at taxpayers expense, and the Old Cadillac, reference the existing Courthouse, to be under the control of the governing body. Mr. Carwile continued that recently a reading had been obtained that said that the Judge had control of the Courthouse at all times not just when he was in session. Mr. Carwile stated that he was wrong but he found out that others had questioned it and that was the reading from the Attorney General. Mr. Carwile continued that his plan calls for going after grant money that is out there for the asking. Mr. Carwile stated that this will alleviate the burden and fears off the taxpayers. Mr. Carwile stated that Mr. Moses hinged on this when he spoke and that it looked like he and Mr. Moses were getting pretty much the same feed back. Mr. Carwile stated that going back this would alleviate the burden and fears off the taxpayers while you spend your same money on a new Courthouse. Mr. Carwile asked the other members of the Board to think of the aesthetic point of view that a new courthouse would give to those who visit our historical site. Mr. Carwile continued that he further promoted tourism in a way never before promoted and utilize the existing Courthouse to that end along with community use. Mr. Carwile stated that he could see this as a win, win situation. Mr. Carwile asked the other members of the Board to take the golden egg that they have been sitting on since 1864 out of the incubator, that no other County in the nation has what we have, and lets put someone in charge that can carry tourism to the State and Federal level to get grant money and utilize the existing courthouse as a center of attraction for tourism and ask the Historical Society to help in staffing this. Mr. Carwile continued that under the renovation plan for the existing Courthouse you would have a total of 25, 633 square feet at a grand total of three million three hundred and ninety-two thousand eight hundred and thirty three dollars, with the unknown cost of change orders for the unknown that you could engage under construction in additional cost to the taxpayers. Mr. Carwile asked if he needed to remind the other members of the Board that the old high school started out at one price and ended up at almost twice the cost? Mr. Carwile continued that he wished to bring to light that architectural and engineering fees were 11% on renovation compared to 9% on new construction. Mr. Carwile stated that the difference between these two figures was simply 2%. Mr. Carwile stated that renovation and new construction based on the estimated cost amounts to just under $50,000.00 on those two figures that two percent is actually $47,306.00. Mr. Carwile continued that was money that is simply thrown down the drain that you get nothing for it

because everyone knows that it cost more to get into renovation for every phase that you do. Mr. Carwile stated that it was a fact that this money was thrown away, it was in the pockets of the architects and engineers. Mr. Carwile continued that he did not agree with the contingency fee being the same with the remodeling as new construction. Mr. Carwile stated that could be a big dollar difference in the remodeling left for the taxpayers to pay, for the unknown. Mr. Carwile stated that they were dealing with a one hundred year old building that has served it's time and place for history and now should be retired for community use and tourism attraction with grant money to support it, not taxpayers money. Mr. Carwile continued that grant money was all for the asking under proper guidelines so we should go for it. Mr. Carwile continued that to renovate the existing Courthouse including the Honorable Barbara William's office, General District Court space, you are putting in place four security check points plus staffing by the Sheriff's Department, in lieu of one security check point with the new Courthouse. Mr. Carwile stated that this was quite a difference in buying the security systems and look at the on going cost of staffing four security points. Mr. Carwile also stated that he could understand how the Honorable Sheriff Staples would say to the Board that if they put the burden on him he would have to have some help, at more expense to the taxpayers. Mr. Carwile continued that he did not agree to renovate the existing one hundred year old building for a Courthouse utilizing the third floor that has always been a storage area causing the extra expense to put in an elevator, from day one to the end of its time will be a maintenance cost unending to the taxpayers. Mr. Carwile stated that they should renovate the existing building to make it handicapped accessible at a cost to the taxpayers unknown, a perpetual cost to the end. Mr. Carwile then listed the advantages to new construction. They are as follows:

1- Less disruptive to the Courthouse Square. Mr. Carwile stated that surely it would make the Honorable Judge happier.
2- Best layout for courts possible
3-Plenty of expansion room, where the Board purchased the land, 2 acres to do just this, build a Courthouse
4- Parking immediately and adjacent. Mr. Carwile stated that this means a lot to those like himself that are handicapped, being able to get to a place in unfavorable weather and distance
5- Energy efficient, maximum installation value
6- Add new dimension to Appomattox
7- Preserve the present layout of Courthouse Square.

Mr. Carwile stated that in closing he would like to say that common sense tells him that it is many times more likely for risk of additional cost for taxpayers due to the unknown. Mr. Carwile continued that he had been in renovation on a big scale for years. Mr. Carwile stated that to any of his fellow Board members that support renovation he could not see how they could be heart felt to represent their constituents knowing that renovated cost is unknown and that it will be at their expense. Mr. Carwile stated that to renovate is only a band-aid when you compare with new longevity. Mr. Carwile continued that under his plan let's get grant money to restore the existing Courthouse it's there for the asking, to his understanding, put the existing Courthouse on the State Register of the Historical and keep it under County Control and then the Board has say so over the Courtroom. Mr. Carwile continued that the Judge would have his Courthouse and the Board would have their's. Mr. Carwile continued that it needed to be kept under County control and utilize the building for community use and a tourism attraction. Mr.

Carwile continued by asking the Board not to miss an opportunity to utilize our one hundred Appomattox Courthouse that has served the County of Appomattox well and with pride. Mr. Carwile continued that this could be a credit to this governing body to be recorded for their actions tonight, March 6 the year 2000. Mr. Carwile then thanked the Board for their patience and for giving him their attentive listening ear on this that he is very heart felt for and that he has spent a lot of time to it and that he is shooting in the dark and trusting that his fellow Board members will see it the way he does. Mr. Carwile then thanked the Chairman.

Mr. Moore then asked Mr. Carter for his comments concerning renovation versus new.

Mr. Carter addressed the Chairman and his fellow Board members. Mr. Carter stated that he had made some notes as Mr. Carwile was giving them the data and information that he had gathered. Mr. Carter continued that the decision was made by the Board of Supervisors almost twelve months ago to renovate this Courthouse. Mr. Carter continued that it had been said that was from a past Board and that was true because the Board had two new members on the Board, however, the two new members came on Board knowing that whatever transpired in the past must go on when it has been duly voted and justified to be for the betterment for the community. Mr. Carter continued that he did not agree with reneging on valid and justified past decisions. Mr. Carter stated that concerning the Courthouse he had a grand total of eight citizens approach him to construct a new Courthouse. Mr. Carter stated of the eight, five were from the Courthouse District. Mr. Carter continued that the majority of the citizens that had contacted him, and he would like to add that there had not been that many, requested to renovate. Mr. Carter stated in closing that therefore that was going to be his vote, to renovate. Mr. Carter stated that any new construction, in his opinion, would be for a new elementary school.

Mr. Kendrick addressed Mr. Carter and stated that while he shared Mr. Carters sentiments concerning the old Board sometimes you were prevailed upon to take another look at a decision that had been made because of the number of requests for that, Mr. Kendrick stated that during the campaign and even now it was being requested by many people to take a look at the new courthouse versus the renovation of the old courthouse. Mr. Kendrick explained that he had received lots of input on this because people looked at him as the swing vote, they seemed to feel they knew how the others were going to vote. Mr. Kendrick continued that he had been swinging on this decision. Mr. Kendrick continued that he did not like the position that he was in but he was truly capable of making a decision from where he was at without anybody's help. Mr. Kendrick continued that when he said without anyone's help he meant that he had gotten about fifty-fifty opinions on this issue. Mr. Kendrick stated that he had spent quite a bit of time on this issue. Mr. Kendrick continued that if you had asked him on Friday how he was going to vote he would have said that he would vote for renovation. Mr. Kendrick stated that on Saturday he would have said he would build a new Courthouse. Mr. Kendrick stated that if you looked at Hal Craddock's pro's and cons' they favor a new Courthouse. Mr. Kendrick continued that when you look at the amount of money involved there was very little difference. Mr. Kendrick thanked everyone for their input because he felt it told him something about Appomattox that he didn't know, and that was that the citizens really do care about the community and he really appreciated that. Mr. Kendrick continued that he had struggled with this decision but he would tell the citizens this, whether it's new courthouse or renovation, the money is essentially the same. Mr.

Kendrick stated that the problem comes twenty years from now when the present building may no longer be useful. Mr. Kendrick stated that a lady called him the other night and it really bothered him what she said. Mr. Kendrick read that his decision comes down to agreeing with a lady that called him about the Courthouse and said that she didn't want Appomattox to be known as the County with a back door entrance into a Courthouse. Mr. Kendrick stated that in other words she did not want to see the present Courthouse force fitted into a century that it doesn't belong. Mr. Kendrick continued that with all the monies essentially being the same he really agreed with that lady. Mr. Kendrick stated that he did not like the idea of coming to this Courthouse with it's welcoming steps and it's columns and coming up and knocking on a door that he could not come in. Mr. Kendrick continued that he did not like the idea of paying this much money and having to go to the back door and he did not like the idea of spending this much money and wishing he had made a different decision ten years from now. Mr. Kendrick stated that he wanted everyone to know that this was an independent decision made by him, and that no one on the Board was influencing his decision, he spent his time, and worked this issue and hoped that the citizens would appreciate his vote. Mr. Kendrick stated that he was going to vote for a new Courthouse.

Mr. Moore began that he had heard a lot of arguments tonight for a new Courthouse, and he heard a lot of arguments a year or so ago when the Board made a decision to renovate. Mr. Moore stated that his feelings were at that time that the best way to preserve a building was to continue to use it. Mr. Moore continued that it was used as a Courthouse and he felt we could continue to do so. Mr. Moore stated that he did not understand what people were talking about when they said it would be good for twenty years. Mr. Moore asked what was going to happen in twenty years that this building was not going to be good enough? Mr. Moore continued that this building was solid more solid than one that you were going to build today. Mr. Moore stated that he had been pushed by a awful lot of people about this but the people who wanted a new Courthouse were the people associated with the Historical Society or people very closely related to them. Mr. Moore stated that the average citizens had told him to renovate. Mr. Moore stated that Mr. Carwile had put up a good argument on all those things and he guessed that Mr. Carwile was right to a certain point but when you talk about all these grants nothing is certain. Mr. Moore continued that this was something that could happen but we were not sure that it would happen. Mr. Moore stated that the other thing was why do we need to maintain two more buildings around here that we don't have a real use for? Mr. Moore stated this was a Courthouse and could still be a Courthouse. Mr. Moore continued that he had spoken with the people in the Courthouse Square and they all agreed that they wouldn't mind renovation, except for Mr. Puckett who he had not spoken with. Mr. Moore stated that the best way to preserve a building was to use it. Mr. Moore stated that the outside would stay just like it is. Mr. Moore addressed Mr. Carwile and stated that he did not know where four security officers came into the picture. Mr. Moore stated that with renovation each building would have one security point. Mr. Moore stated in closing that he had not changed his mind and that he still felt that renovation was the right thing to do.

Mr. Hancock began that he was glad that tonight the Board would make a final decision because he was tired of grappling over this. Mr. Hancock stated that he had received numerous letters, telephone calls and even in the market place, some people even telling him how to vote. Mr.

Hancock stated that he even had some telephone calls telling his that he was following some one else on the Board. Mr. Hancock stated that he could make his own mind up, he did not have to follow anyone. Mr. Hancock stated that his feeling tonight that he felt what was best for the money was a new courthouse. Mr. Hancock stated in closing that he supported a new courthouse.

Mr. Carwile stated that he had asked for a rebuttal just briefly, and not that he was trying to put Mr. Moore back on it, but he referred Mr. Moore back to Hal Craddocks points, renovation-three different security points. Mr. Carwile then referred Mr. Moore to the new construction pro's from Hal Craddock, new construction security one check point.

Mr. Moore called for other discussion.

Mr. Carwile began that this would require a little detail since there is in place a motion existing from the past Board. Mr. Carwile continued that his motion tonight was to rescind the motion in place by the previous Board to renovate the existing Appomattox Courthouse on Court Street and replace it with a new motion to build a new courthouse to accommodate all three courts on Courtland field, as known, on County owned land facing Court Street between the School Board Office building and Highland Street with approximately 26,120 square feet at a cost of estimated grand total of three million nine hundred and eighty three thousand and thirty-nine cents. Mr. Carwile stated that this is the figure quoted by Hal and that was his motion that he has put before the Board.

Mr. Moore called for a second.

Mr. Kendrick seconded the motion.

Mr. Moore called for a vote.

Vote: Mr. Moore, nay; Mr. Carter, nay; Mr. Carwile, yes; Mr. Hancock, yes; and Mr. Kendrick, yes.

Mr. Carwile addressed the Chair and stated that he felt like with this in place that the Honorable Judges that have been so patient with the Board the Board should move out and notify Hal to begin the plans to keep in pace with the Judges.

Mr. Moore called for other statements.

Mr. Carter addressed the Chair and requested a three minute break.

At 7:43 P.M. Mr. Moore recessed the meeting for a short break.

At 7:55 p.m. Mr. Moore called the meeting back to order.

Mr. Carter addressed the Chair and asked, that prior to moving on to the next item, if we now

know that we do not need a referendum?

Mr. Carwile stated that was the word from our County Attorney.

Mr. Carter stated that our County Attorney has revealed that we do not have to have a referendum in order to relocate the Courthouse.

Mr. Carwile stated that Mr. Carter had read it in his book.

Mr. Carter continued that he read it in the book and heard it but he understood that there was one more Attorney General's opinion, from his office rather, that Mr. Puckett was waiting on. Mr. Carter asked Mr. Carwile if he remembered that?

Mr. Carwile stated that it was all in the minutes.

Mr. Carter agreed and stated that the minutes reflected that Mr. Puckett was waiting for more information. Mr. Carter asked Mr. Puckett if he had heard any more and continued that he guessed that the Board was on solid ground to move forward at this time?

Mr. Puckett stated that it was his opinion at this time that a referendum vote was not required but he had requested an additional opinion.

Mr. Moore stated that the next item was the AIA documents for the Sheriff's office addition. Mr. Moore continued that the Board needed to approve these documents.

Mr. Carwile made a motion seconded by Mr. Carter to approve the signing of the AIA documents for the Sheriff's office addition. Vote: Mr. Moore, aye; Mr. Carter, aye; Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore next explained that there were several supplemental appropriations necessary.

Mr. Carter made a motion seconded by Mr. Carwile to approve the supplemental appropriation in the amount of $80,000.00 for architectural services for the new elementary school. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carwile made a motion seconded by Mr. Kendrick to approve a $5,000.00 appropriation for the schools to pay for topographic surveys and maps for the new elementary school site. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr Kendrick, aye.

Mr. Kendrick made a motion seconded by Mr. Hancock to appropriate $1950.00 to the jail budget for a maintenance contract on jail software and an $85.12 supplemental appropriation for overtime pay received from the schools for officers working football games. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick.

Mr. Carwile made a motion seconded by Mr Hancock to appropriate $5936.26 to the

Commonwealth Attorney's budget due to an increase in salary for the secretary. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carwile made a motion seconded by Mr. Kendrick to appropriate $241.00 to the rescue squad budget due to additional funding received from the State. Vote; Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Hancock to appropriate $103.00 to the Library budget for book replacement fees received. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick; aye.

Mr. Carter made a motion seconded by Mr Kendrick to appropriate $565.98 to the Animal Control budget for reimbursement received from owner for the County taking care of his livestock in his absence. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $307.84 from the Law Library Fund for the month of March 2000. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then turned the Board's attention to the Additional Items for Consideration.

Mr. Moore explained that at a previous meeting the Board had agreed to adopt a resolution of support for the Lighthouse of Love Outreach Center and that resolution was enclosed for the Board's adoption.

Mr. Moore explained that two of the organizations in the County that support the Lighthouse of Love have expressed to him that they do not feel that the County should be supporting them with a monetary donation.

Mr. Carwile addressed the Chair and asked if he was speaking of the monetary that was asked of the County?

Mr. Moore stated that was correct.

Mr. Carwile asked Mrs. Ferguson why this resolution was not put on County stationary?

Mrs. Ferguson explained that what was in the Board Book was only a draft and that it would be put on County stationary if adopted.

Mr. Moore called for a vote.

Mr. Kendrick made a motion seconded by Mr. Hancock to adopt the resolution of support for the Lighthouse of Love Outreach Center as follows:

Whereas, the Lighthouse of Love Outreach Center is currently operating within Appomattox County; and

Whereas, the Lighthouse of Love Outreach Center is currently providing emergency & transitional shelter and community service opportunities within Appomattox and has plans to provide conflict mediation, batterers counseling, parenting classes, substance abuse counseling, job skills training, and other community development assistance programs to Appomattox County, and

Whereas, the Lighthouse of Love Outreach Center has intentions of working with other service providers within the region to provide these programs within the outreach center, and

Whereas, the Lighthouse of Love has already formed a relationship with the Appomattox County Sheriff's Department and the Appomattox County Department of Social Services,

Now Therefore Be It Resolved, that the Appomattox County Board of Supervisors does hereby support the efforts that the Lighthouse of Love Outreach Center is making to provide the above listed services within Appomattox County and the Board further wishes the Lighthouse of Love Outreach Center much success in its attempt to receive tax exempt {501(c)3} status.
Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore presented a request from the Town of Appomattox for the building permit fees and the landfill fees to be waived for their waste water treatment plant project.

Mr. Carter made a motion seconded by Mr. Carwile to waive the building permit fees and the landfill fees for the Town of Appomattox's waste water treatment plant project. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Mr. Moore then presented a supplemental appropriation request from Hurt & Proffitt in the amount of $11,170.58 for professional services provided for the landfill.

Mr. Carter made a motion seconded by Mr. Moore to appropriate $11,170.58 to the landfill budget to pay for professional services provided by Hurt & Proffitt. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, nay; Mr. Hancock, nay; and Mr. Kendrick, nay.

Discussion followed.

After discussion Mrs. Ferguson was asked to have Mr. Earl Dickerson attend the next meeting and give an explanation as to the charges on the bills that have been presented.

Mr. Moore then explained that at a previous meeting a request had been made by Mr. Alton Dalton for an exception to the Subdivision Ordinance to allow him to divide a lot for his children that did not have frontage on a State maintained highway. Mr. Caldwell was asked to see if he could come up with a way to allow Mr. Dalton to proceed with this division. Mr. Moore explained that Mr. Caldwell had not be able to reach a solution for this problem under the

ordinance.

Discussion followed.

After discussion, Mr. Carwile agreed to research this matter and report back to the Board at the next meeting.

Being no further business, at 8:20 P.M. Mr. Carwile made a motion seconded by Mr. Carter to adjourn. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye, Mr. Kendrick, aye.

Russell H. Moore, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on March 20, 2000 at 5:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District (arrived at 5:36 P.M.)

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Moore called the public hearing to order stated the purpose of the hearing was to receive public comment on the proposed revocation of the high powered rifle ordinance. Mr. Moore then explained the procedure for addressing comments.

Mr. Moore called for comments.

Mr. Raymond "Pete" McFadden, came forward and gave his address as Route 2 Box 221, Gladstone, Virginia. Mr. McFadden began by saying that he was in favor of hunting with high powered rifles in Appomattox County. Mr. McFadden continued that all the counties around us allow hunting with high powered rifles except Buckingham.

Mr. Moore called for other comments.

Mr. Randy Foster came forward and gave his address as Route 1 Box 1400, Spout Spring, Virginia. Mr. Foster stated that he was in favor of using high powered rifles in the County. Mr. Foster continued that the greatest majority of hunting accidents occur at fifty yards or less and

that goes to show that if accidents are going to happen they're just going to happen.

Mr. Moore called for other comments.

Mr. Hugh Dolan came forward and gave his address as Route 2, Appomattox, Virginia. Mr. Dolan continued that he was in favor of hunting with high powered rifles in Appomattox County. Mr. Dolan then presented statistics from the Department of Game and Inland Fisheries on the number of hunting accidents that had occurred over the last five years. Mr. Dolan gave the statistics that there were 189 shotgun accidents and 32 rifle accidents. Mr. Dolan continued that some people might not know, but high powered rifles were already legal in Appomattox County for anything other than deer hunting. Mr. Dolan stated that all they were asking the Board for was an additional nine weeks when rifles could be used in the County.

Mr. Moore called for other comments.

Mr. Matt Lair came forward and gave his address as Route 5 Box 152, Appomattox, Virginia. Mr. Lair began that he hunts in Hixburg right on the Prince Edward County line in order to use a rifle where it was legal. Mr. Lair continued that he did not see that much difference in the lay of the land in Prince Edward County and Appomattox County. Mr. Lair stated that he would like to quote an article from the Department of Game and Inland Fisheries that came from their web site. Mr. Lair continued that since 1989 the average number of fatalities had been four per year. Mr. Lair stated that at that same time this year there have been four, two shooting and two tree stand fatalities. Mr. Lair went on to explain how these accidents occurred. Mr. Lair continued that over the last ten years thirty-seven hunting fatalities have been reported in Virginia and of those 75% occurred because the shooter failed to identify their target. Mr. Lair explained that wearing blaze orange would greatly reduce these accidents. Mr. Lair continued that he agreed that 37 fatalities were too many but there was no evidence that a rifle was more dangerous than a shotgun. In closing Mr. Lair stated that rifles were a more efficient hunting, killing machine with less chance of injuring your game instead of killing it.

Mr. Moore called for other comments.

Mr. Chris St. John came forward and gave his address as Route 2 Box 10B, Concord, Virginia. Mr. St. John began by saying that he was in favor of hunting with high powered rifles in Appomattox County. Mr. St. John continued that he would not repeat what the others had said but he agreed with their comments.

Mr. Moore called for other comments.

Mr. Tom Jones came forward and gave his address as Route 15220 Pamplin, Virginia. Mr. Jones began by saying that he was opposed to high powered rifle use in Appomattox County and his reason was because they lived in an area where there were a lot of hunting up and down the road and not a lot of trees around them near his home. Mr. Jones continued that he would rather be within sixty-five or seventy yards of someone who is hunting deer rather than for them to be two to three hundred yards away where they can't as easily identify what they are shooting at.

Mr. Moore called for other comments.

Mr. Aubrey Padgett came forward and gave his address as Route 2, Vera, Virginia. Mr. Padgett began that he was a hunter, a NRA certified rifle instructor and NRA hunting rifle coach. Mr. Padgett continued that the children in Appomattox are taught rifle safety through the NRA, 4-H and through the Hunter's Education Program. Mr. Padgett stated that one of the things that is taught is to know your target and what is beyond. Mr. Padgett explained that to know your target at three or four hundred yards most high powered rifles had high optic scopes in order that they may see clearly what is three or four hundred yards away. Mr. Padgett stated in closing that he was definitely in favor of having rifles because he felt they were going to be a lot safer than shotguns.

Mr. Moore called for other comments.

Mrs. Ellen Jamerson came forward and stated that she lives at Route 727, Appomattox, Virginia. Mrs. Jamerson began that she came before the Board to speak against the repeal of this ordinance. Mrs. Jamerson continued that she walked through the woods around her house and she would be afraid during hunting season to walk these areas if hunters were allowed the use of high powered rifles. Mrs. Jamerson stated that hunters were usually the victims of most of the accidents and that she felt the more high powered rifles that were out there the more victims there were going to be. Mrs. Jamerson stated that she was concerned with children being taught at an early age how to use a gun. She continued that when she was growing up there were guns around her home but they were kept locked away from the children until they grew up and were taught how to use them. In closing Mrs. Jamerson again stated that she was against this change.

Mr. Moore called for other comments.

Hearing none, Mr. Moore asked Mrs. Ferguson to read the letters that she had received for the Board of Supervisors.

Mrs. Ferguson read the following letters:

March 14, 2000

To: Appomattox County Board of Supervisors:

I was shocked to read in the Times Va. that high powered rifles may become legal in the County. In two years I plan to build on my farm in the Stonewall area. My children and grandchildren - as well as my wife and I would certainly not be able to move around outside during hunting season. Currently the hunters in that area shoot from the road and hunt constantly on my posted land-If the problem will be greatly exacerbated. Keep in mind, bullets can travel 300 yards easily-shotguns are bad enough and they may carry 50 yards or so. Gun safety may not even be a factor. Even the best placed shot can ricochet. The argument regarding black powder is not really valid due to a much lower number of people who are in the woods and fields during black powder season.

Please vote this issue down.
Already things are dangerous enough - and hunters constantly run dogs all over private property. But to allow them to turn dogs loose, then stand back on the road or on someone else's land and shoot a deer 250-300 yards away on posted land would be a common and dangerous occurrence. If this change is implemented I will have to reconsider where I build my house. The issue has grave consequences. Please help.
Thanks,
Brad Babcock
P.S. I live in Rockingham County, Virginia now and do not hunt up here because it is legal to use high powered rifles. Daily during hunting seasons there are newspaper accounts of accidental deaths and shootings into dwellings, etc. which are most often caused by ricochet bullets. The season here is only two weeks long - but many accidents occur in those two weeks.
People are afraid to go out and check their mail during hunting season.

Mr. Chairman etc., My name is J.M. Rosser Route 6 Box 1415 Appomattox, Virginia.
I come before you to oppose the use of H.P.R. in Appomattox County. However, lets immediately exclude ground hog hunting and black powder, as this is now permitted by county ordinance. I base this opposition on the following:

1) H.P.R. are used for deer hunting. I can think of no other edible game that is hunted with a rifle. Shotguns have been adequate in the past; they should be adequate in the future.
2) The range of a rifle vs. the range of (as quoted) low powered buck shot, at a given distance- I would much rather be in line of fire from a shotgun that from a H.P.R.!
3) Buckingham is a border county, but does not allow the use of H.P.R. apparently because of variables involved, they deem H.P.R. unnecessary, as does Appomattox County.
4) The population is growing in the county. It should continue to grow, based on the Industrial Park, Court House (regardless of final results), schools, landfill, etc. ride the secondary roads and observe existing and new housing under construction. As population increases, there is a mandate to oppose th use of H.P.R.
5) Making the assumption that if people are responsible as to how they shoot, a rifle bullet is no more dangerous that a low buckshot (I refer you back to item 2) you do not change rules on assumption - you change rule based on facts.
6) Riding around the county and observing the area that is still conducive to hunting, I would make the observation that H.P.R. should not be allowed in Appomattox County.
7) I would venture to say that deer are shot at night. How many do you think use a shotgun and how many use a rifle, even though it is illegal t "hunt" at night and to use a H.P.R. In my opinion, this would make it more enticing to kill at night.
8) I believe that without documented evidence of hunting deaths in any county, the thought I have herd is "hearsay" - I would also ask has anyone checked with the USDA for the topography of hunting areas in surrounding counties vs Appomattox? Has a poll been taken to determine the number of hunters in Appomattox vs the three border counties?
9) It would be interesting to factually determine how many rifles have expensive high powered optics - cost could be prohibited. Sighting "in" is necessary. There is no requirement for a scope, much less expensive, high powered optics.
10) Have you ever noticed that when you ask someone to sign a petition, they do so without even reading it. The will probably be told the basis thought, will probably say " that sounds good"

and sign it. I was told last week, in person, that eight people had their names removed. I can't help but wonder, if people actually stopped to think and examine the question in total would they still sign?

11) When my children were young and wanted t so something, they would say "everybody's doing it" I would reply, "but you are not everybody". Appomattox County is not "everybody" either.

If I were to circulate a petition such as this, I would saturate the hunting clubs with it and selectively place it elsewhere. Without seeing a copy of the petition, I venture to say it is structured so anyone in the county can sign including minor children. The 800 signatures figure used is a little over 15% of the total county population. This should be an issue that voters decide. It appears to me that this would be an ideal situation for a referendum.

Mr. Moore then stated that he had received several telephone calls today that were opposed to high powered rifles. Mr. Moore also stated that he had received input from hunters who were in favor.

J. M. Rosser

March 20, 2000 1.25 P.M.
Herman Thomas P.O. Box 668
Concord, Virginia 24538
Telephone - (804) 993-2120

Opposition to rifle ordinance
"there is no safe place to shoot a high-powered rifle"
very much against!

Mr. Carwile stated that he had received only three negative comments. Mr. Carwile continued that most of what he has heard is all positive.

Mr. Hancock stated that he is in favor of the rifle and that he has received a lot of input from the hunters.

Mr. Kendrick stated that there were a lot of legitimate concerns associated with this issue but that most of what he has heard has been in favor.

Mr. Carter stated that he had received two calls in opposition but the rest were in favor of the change.

Mr. Roland Parrish asked to address the Board.

Mr. Moore acknowledged Mr. Parrish.

Mr. Parrish stated that he lives on Route 727, Appomattox, Virginia. Mr. Parrish stated that all the adjoining counties allow high powered rifle use in their counties. Mr. Parrish continued that in order for him to hunt legally he had to go to an adjoining county to hunt because he does not prefer to hunt with a shotgun. Mr. Parrish stated that he felt the Board had already opened the

door by allowing high powered rifles to be used in hunting ground hogs. Mr. Parrish again stated that rifles were used around the edges of the County anyway.

Mr. Peter Demers stated that he lived at Route 2 Box 710, Appomattox, Virginia. Mr. Demers continued that there were a lot of respectful hunters in Appomattox County. Mr. Demers stated that he hunted around Evergreen and they respected the landowners. Mr. Demers stated that he was in favor of hunting with high powered rifles in the County.

At. 5:57 P.M. Mr. Moore declared the public hearing closed.

Mr. Parrish spoke and said that he had heard a lot of comments on raising children in Appomattox County opposed to rifle use and he just questioned how the people in Prince Edward, Charlotte and Campbell raised their children.

Mr. B. G. Richardson spoke and gave his address as Pamplin. Mr. Richardson stated that he was a landowner and taxpayer in Appomattox County and he felt that he should be able to shoot what he wanted to on his property. Mr. Richardson continued that he paid a lot of taxes and he felt the Board should give this consideration.

Mrs. Jamerson stated that she would like to make a point of order that people were instructed to come to the microphone to speak and that she had complied and that now others were being allowed to speak from their seats.

Mr. Moore answered that the fact was that time was running out and in an effort to let everyone speak he had allowed them to speak from their seats.

Russell H. Moore, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on March 20, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H . Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Darrel Puckett - County Attorney

At 6:07 P.M. Mr. Moore called the meeting to order and asked Mr. Carter to give the invocation.

Mr. Moore then called for approval of the Bills.

Mr. Kendrick made a motion seconded by Mr. Carter to approve the bills dated March 20, 2000 as presented. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Kendrick, aye.

Mr. Moore then explained that an executive session was necessary under Section 2.1-344(A)(7), a legal issue.

At 6:10 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to enter into executive session to discuss a legal matter. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick at 6:55 P.M. it was resolved that the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

At 6:56 P.M. Mr. Moore called for a recess until after the Public Hearing on zoning petitions.

At 7:10 P.M. Mr. Moore reconvened the Board of Supervisors meeting and called upon Mrs. Martha Moore to appear before the Board.

Mrs. Moore thanked the Board for their decision to proceed with the building of a new elementary

school. Her main concern was the time frame for the construction of this new facility. Mrs. Moore continued with the conditions of the present building and the safety issues that needed to be addressed. Mrs. Moore also congratulated the Board for the time spent on this and asked that they move forward as soon as possible.

Mr. Moore thanked Mrs. Moore and asked Mrs. Shirley Eye to address the board.

Mrs. Eye came forward and stated she was the Chair for the Citizens Forum and introduced Mrs. Sue Eggleston, Recorder and Mr. Fred Underwood, Vice-Chair of the group. Mrs. Eye also asked that any other members of this Citizens Forum present to please stand in order to be recognized.

Mrs. Eye stated that the mission of the Citizens Forum was to engage all Appomattox County residents in a pro-active way to enhance and promote the quality of life in the County. With that in mind she would like to propose several ways to utilize the old elementary school building in the future, using some of the suggestions presented in the Regional Renaissance survey done in September 1999.

Several Board members presented questions regarding such things as, the upkeep and maintenance, the liability insurance and any renovations that may be required to the buildings. Also if all the land was to be utilized or just the building itself.. The Board asked if this was to be done without the use of County funds.

After some discussion, Mr. Moore thanked and excused Mrs. Eye.

Mr. Moore next called Mrs. Lena McClenny to appear before the Board.

Mrs. McClenny stated she was a teacher and the mother of two and that she had some concerns regarding the children walking to the trailers next year. She applauded the decision to move forward with the new school but felt the commitment and the coming together were lacking. Mrs. McClenny urged the Board to expedite the construction of the new building for the sake of the children.

Mr. Moore thanked and excused Mrs. McClenny.

Mr. Moore then called Mr. Robert G. Mitchell of the Pamplin Town Council to address the Board with his concerns regarding the renovation and restoration of the Pamplin Train Depot.

Mr. Mitchell explained his purpose for appearing before the Board was to ask for help with this project. The Pamplin Town Council had a cash flow problem and the contractor must be paid for services at certain intervals. Mr. Mitchell requested the Board grant them the amount of $50,000.00 to cover necessary payments until such time as they received money from a State TEA 21 Grant.

After discussion, Mr. Kendrick made a motion seconded by Mr. Carwile to appropriate up to $50,000.00, as needed, to help Pamplin Town Council meet their cash flow need with the TEA 21 grant process, and give the County Administrator the authority to manage this as necessary. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore thanked and excused Mr. Mitchell and called Mrs. Gloria Richardson to appear before the Board.

Mrs. Richardson stated she had requested the Board to allow an exception to the subdivision ordinance to allow her to cut off one acre from a six acre parcel to give to her son.

Mr. Carter stated he felt that the action the Board of Supervisors took in 1996, in allowing an exception when the Richardson purchased this property, could be repeated in this situation for the same reasons.

Mr. Carter made a motion seconded by Mr. Kendrick to over-rule the agents decision and approve the division of a parcel of land from Kenneth and Gloria Richardson, to their son without meeting the requirements of the sub-division ordinance for the following reasons:

1). Family division (son)
2). Not in conflict with the general meaning and purpose of the ordinance, and
3). It's located in a rural section of the County.

VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore thanked and excused Mrs. Richardson and called Mr. Fred Jones to appear before the Board.

Mr. Jones began that his reason for coming before the Board was to ask that the stipulation imposed on his petition #99-406 by the Planning Commission be removed. Mr. Jones stated he did not feel this was fair and asked the Board to approve this petition.

After some discussion, Mr. Carter made a motion seconded by Mr. Kendrick to approve petition #99-406 of Fred H. Jones to rezone property from A-1 to B-1 with conditional use for warehouses. Property is Tax Map #64-A-95,97 & 98 and is located on Route 24 between Route 656 and the 460 by-pass, with the stipulation that Mr. Jones plant one row of pines as a vegetative barrier to help muffle noises from his operation. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore thanked and excused Mr. Jones.

Mr. Kendrick addressed the Chair and asked if he would be out of order if he made a proposal at this

time?

Mr. Moore recognized Mr. Kendrick.

Mr. Kendrick stated that for the past several weeks he has been receiving comments on the new elementary school and feels that the citizens need to be reassured as to the direction that the County is going concerning the new school. Mr. Kendrick continued that the Board does have some issues that need to be resolved but feels that they can be worked through.

Mr. Kendrick made a motion that the Board give a vote of confidence and that the Board commit to go as fast as they can and as expediently as they can with the knowledge of their financial situation in hand, and go ahead and get the new elementary school built.

Mr. Carwile questioned if Mr. Kendrick was recognizing that a nine million dollar cap had been placed on this project.

Mr. Kendrick replied that he did and that he realized this cap would have to be rescinded prior to going to a higher level, but at this point in time he would like to see the Board continue with the plans and deal with the cap at a later date.

Mr. Carwile then seconded Mr. Kendrick's motion. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Kendrick, aye.

Mr. Moore next called Mr. Franklin Vaughan to address the Board.

Mr. Vaughan thanked the Board for allowing him to speak. He stated he was not a happy citizen. He also stated that the Board had at it's organizational meeting in January voted to adopt Robert's Rules of Order for conducting it's meetings. He further stated that he had concerns regarding the revisiting of the Courthouse renovation from the April 1999 meeting. As he understood Roberts' Rules of Order, a motion to revisit a previous motion had to be made by a prevailing member of the Board, Mr. Moore or Mr. Carter. Mr. Vaughan further stated he was hearing a lot of negative comments regarding the Board and felt the Board should forget about promises made and personal agendas and begin representing the majority of the citizens in their districts.

Mr. Moore thanked Mr. Vaughan and called for Supervisor Concerns.

Mr. Carwile as the Board to think about a resolution from all counties in the State with reference to making available at a modest cost, standardized drawings to all specifications and to include all schools from Primary to High School in order to take the burden of high costs off the localities to pay architects fees for drawings. VACo could be asked to join in this effort. Maybe this could be discussed at the April 3rd meeting.

Mr. Carwile also stated since the decision had been made to build a new courthouse, that the County Administrator be directed to notify Craddock-Cunningham to proceed with the new plans and get back to the Board as soon as possible.

Mrs. Ferguson stated that the AIA documents from Craddock-Cunningham had been delivered to her office around 4:50 P.M. today along with a schedule for completion of the courthouse project for the Board's approval

Mr. Moore stated that this brought up another subject, that of the suit that had been filed concerning the courthouse. Mr. Moore continued that two (2) suits had been filed against the Board since the first of the year and never before in the history of the County had he known of the Board being sued. Mr. Moore stated he felt the Board should put the courthouse project before the people in the form of a referendum as that appeared to be what the people wanted.

There was a lengthy discussion regarding the pros and cons of whether or not the placing of the courthouse across the street was contiguous to the present site.

Mr. Carwile made a motion that since the decision had been made to build a new courthouse that the Board proceed with the AIA documents and sign documents to proceed with new courthouse. Mr. Kendrick made a second. VOTE: Mr. Moore, nay; Mr. Carter, nay; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Carwile revised his motion to include acceptance of the AIA documents and time line. Seconded by Mr. Hancock.

Lengthy discussion followed.

Mr. Moore called for a vote on the revised motion. VOTE: Mr. Moore, nay; Mr. Carter, nay; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Carwile stated he had several other concerns but would pass for now.

Mr. Moore called for other Supervisor Concerns.

Hearing none, Mr. Moore asked Mr. Earl Dickerson with Hurt & Proffitt to appear before the Board.

Mr. Moore explained to Mr. Dickerson that several Board members had questions regarding Hurt & Proffitt bills presented for payment.

Mr. Carwile asked what the design cost for the baler?

Mr. Dickerson answered this and several other questions for the Board.

After discussion, Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $28,556.64 to pay professional services to Hurt & Proffitt for services related to the landfill operation. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore thanked Mr. Dickerson and asked the Board to consider the Supplemental Appropriation requests.

Mr. Kendrick made a motion seconded by Mr. Carter to appropriate $23.00 to 3301-3001 - Professional Health Services in the jail budget for reimbursement received. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Hancock to appropriate $2,500.00 to 3301-3014 - Electronic Monitoring which is a self supporting program. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $10,000.00 to 3301-3001 for Professional Health Services for inmate medical expenses. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Carter made a motion seconded by Mr. Hancock to appropriate $5,894.00 to pay FY1999 Two-for-Life fund to the rescue squad. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore presented a request from Mrs. Janet Belter, Treasurer, for approximately $575.00 to attend the Treasurers's Convention.

Mr. Carter made a motion seconded by Mr. Carwile to approve expenses for Mrs. Belter to attend the Treasurer's Convention. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore then explained that with the resignation of Mr. Dan Sleeper, Halifax County was no longer interested in acting as fiscal agent for the Workforce Investment Act. Mr. Moore explained that Lunenburg County has agreed to act in this capacity.

Mr. Carwile made a motion seconded by Mr. Hancock to allow Lunenburg County to act as Grant Recipient and Fiscal Agent for the Workforce Investment Act Funds. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore then presented a request from Hunton & Williams regarding a voluntary "Audit Policy"

concerning environmental issues at the landfill.

After discussion, it was greed that Mr. Carroll and Mrs. Ferguson would get with Mr. Puckett and discuss this matter to see if they feel it would be necessary to hire Hunton & Williams to perform this service for the County.

Mr. Moore then presented a request from the Appomattox County Chamber of Commerce for $750.00 to cover the cost of placing a full page color ad in the Virginia's Retreat Outdoor Guide.

After some discussion, Mr. Carwile made a motion seconded by Mr. Kendrick to proceed with a full page ad in Virginia's Retreat Outdoor Guide at a cost of $750.00. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore then explained that Ms. Sarah Meissner has requested use of the County Seal by the 4-H Interstate Exchange Club. The 4-H Interstate Exchange Club will be hosting a meeting would like to use the County Seal on materials to be placed in a gift bag for all participants.

Mr. Carter made a motion seconded by Mr. Kendrick to allow the 4-H Interstate Exchange Club to use the County Seal on the gift bags they will be presenting to participants at a meeting they will be hosting. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore presented the next item for consideration. Mr. Alton Dalton has requested that he be allowed to divide a five acre parcel into two parts in order to give each of his children a lot of their own. Since this item has been held over for a couple of meetings, Mr. Moore asked if there was any new information?

Mr. Carwile referred the other members to page 6 in the Board Book which was a copy of minutes from a previous meeting where an issue of this nature had been dealt with.

After some discussion, Mr. Hancock made a motion seconded by Mr. Carter to over-rule the agents decision and approve the division of a parcel of land from Alton Dalton, to his two daughters with meeting the requirements of the sub-division ordinance for the following reasons:

1). Family division (children)
2). Not in conflict with the general meaning and purpose of the ordinance, and
3). It's located in a rural section of the County.

VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore next explained that the request for proposals for general reassessment have been received and that with the Board's permission Mr. Mays and Mrs. Ferguson would set up interviews with the

firms that submitted proposals. Mr. Moore also asked that a member of the Board of Supervisors agree to serve on this interview team.

After discussion, and by consensus of the Board, it was agreed that Mr. Kendrick would serve on this team.

Mr. Moore then explained that the Board needed to appoint a panel of at least three citizens to serve a road viewers in order to move forward with the Country Haven Estates request.

After discussion, and by consensus of the Board, the following people were chosen to serve as road viewers for 2000. Ms. Lynette Page, Mr. Elantha "Jimmy" Drinkard and Mr. Claude Allen Moore.

Mr. Moore next introduced the matter of the Evantage Program for the school for discussion.

After discussion, no action was taken.

Mr. Moore also explained that the school would like to know if the Board planned to proceed with the next phase of the high school roof project at an approximate cost of $250,000.00?

After discussion, Mr. Hancock made a motion seconded by Mr. Carwile to add $250,000.00 to the schools FY2001 budget request to fund the third phase of the high school roof replacement. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore then asked the member of the Board when they wanted to schedule budget work sessions?

After discussion and by consensus of the Board it was agreed to schedule budget work sessions for 6:00 P.M. on March 27th and 28th, 2000.

Mr. Moore then called the Board's attention to the additional items for consideration.

Mr. Moore presented another request for an exception to the subdivision ordinance from Ms. Lisa Wynn.

After discussion, Mr. Carwile made a motion seconded by Mr. Kendrick to over-rule the agents decision and approve the division of a parcel of land from Miss Lisa Wynn's parents without meeting the requirements of the subdivision ordinance for the following reasons:

1). Family division (Child)
2). Not in conflict with the general meaning and purpose of the Ordinance; and
3). It's located in a rural section of the County.

VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick,

aye.

Mr. Moore the presented a request for a change order for the Sheriff's addition.

Mr. Carter made a motion seconded by Mr. Carwile to approve change order in the amount of $975.70 for material and labor to install 80LF PVC conduit to give access for telephone company and additional waterproofing at wall area around catch basin. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Moore next explained that Mr. Belter needed the Board to establish the 2000 Tax Rate as soon as possible.

Discussion followed.

Mr. Moore then explained that an appropriation in the amount of $11,795.00, which is the retainage for the roof work on the Health Department and the Administration Building, was necessary since the work has been completed.

Mr. Carter made a motion seconded by Mr. Hancock to appropriate $11,795.00 to pay the final payment of the roof work for the Health Department and the Administration Building. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Mr. Carter stated he would like to make one more plea before the Board recessed.

Mr. Carter continued he would like to make a motion that the Board put on a referendum to build a new courthouse or to renovate the existing Courthouse.

Mr. Moore seconded the motion.

Mr. Moore called for a vote. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, nay; Mr. Carwile, nay and Mr. Kendrick, abstained.

Discussion followed.

At 10:24 P.M. Mr. Hancock made a motion seconded by Mr. Carwile to recess until 7:00 P.M. on March 23, 2000. VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Kendrick, aye.

Russell H Moore

RUSSELL H. MOORE, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on March 20, 2000 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):
Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District
Jerry G. Kendrick - Appomattox River District

Present (Planning Commission):
Al Sears - Chairman
Calvin Tanner
Wayne Lewis
Marvin Mitchell
Jesse Hancock
Kevin O'Brien
Jim Sefter

Present (Board of Zoning Appeals):
Matt Lair - Chairman
Cliff Harvey
Dale Campbell
James Cheatham

Absent (Planning Commission):
Robert Johnson
Claude Allen Moore
Elizabeth Edwards

Absent (Board of Zoning Appeals):
Elizabeth Edwards

Also Present:
Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Moore called the public hearing to order and explained the purpose of the hearing was to receive public comments on several zoning petitions. Mr. Moore then explained the procedure

for addressing comments to the Board. Mr. Moore next asked Mr. Al Sears, Chairman of the Appomattox County Planning Commission to read the first petition.

Mr. Sears read petition number 00-414 of Raymond Noble for a variance to paragraph 170-80-A of the Appomattox County Zoning Ordinance pertaining to rear yard setback. Property is Tax Map No. 99-A-8A zoned A-1 and is located on Route 644 between Route 675 and Route 636.

Mr. Ray Noble came forward and gave his address as Route 1 Box 636, Appomattox, Virginia. Mr. Noble began that all he wanted was a carport that was portable. Mr. Noble explained that he had looked at several in the County that were installed exactly in the location that he wanted to put his. Mr. Noble stated that he had tried to buy property that joined him in order to be able to comply with the zoning requirements but was unable to do so.

Mrs. Noble stated that the topography of their lot did not allow them to place this structure in the location that was required by the zoning ordinance.

Mr. Moore called for other comments.

Hearing none, Mr. Moore asked Mr. Sears to read the next petition.

Mr. Sears read petition number 00-415 of Charles and Dorothy Bub to rezone property from V-1 to B-1. Property is Tax Map No. 41 (6) C and is located on Route 24 between Route 701 and Route 616.

Mr. Moore called for comments on this petition.

Mrs. Dorothy Bub came forward and gave her address as Route 3, Appomattox. Mrs. Bub continued that this property should be zoned business because there had always been a business on it and that it should have been zoned that way.

Mr. Moore called for other comments.

Hearing none, Mr. Moore asked Mr. Sears to read the next petition.

Mr. Sears read petition number 00-416 of Stephanie Martin McFadden to rezone property from R-1 to R-2. Property is Tax Map No. 99A(A)4 and is located on Route 636 between Route 630 and Route 637.

Mr. Moore called for comments on this petition.

Hearing none, Mr. Moore asked Mr. Sears to read the last petition.

Mr. Sears read petition number 00-417 of Robert C. Stevens to rezone property from A-1 to R-1. Property is part of Tax Map No. 60-A-53 located on Route 608 between Route 460 and Route 609.

Mr. Moore called for comments on this petition.

Hearing none, and being no further petitions, Mr. Moore declared the public hearing closed at 7:08 P.M.

Russell H. Moore, Chairman

A recessed meeting and budget work session of the Appomattox County Board of Supervisors was held on March 27, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore - Chairman - Piney Mountain District
Samuel E. Carter - Courthouse District
Jerry G. Kendrick - Appomattox River District
Frank H. Carwile - Wreck Island District
Jesse L. Hancock - Falling River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Moore called the meeting to order at 6:00 P.M. and explained the purpose of the meeting was to discuss the proposed FY2001 budget.

Mrs. Ferguson then presented the FY2001 budget requests from departments and the FY2001 revenue projections.

A lengthy review followed.

After discussion, Mr. Moore explained that the County needed to engage bond council to structure a debt service program for the proposed capital projects. Mr. Moore continued that Mrs. Ferguson would be obtaining proposals for this service.

Mr. Moore then informed the other members of the Board that the semi-annual Regional Dinner was scheduled for April 19, 2000 at Thomas Jefferson's Poplar Forest.

Mr. Moore next asked if anyone had any other business for the Board?

Mr. Kendrick explained that he would like to request that the Educational Advisory Committee be changed to an Educational Finance Committee comprised of two members of the Board of Supervisors, two members of the School Board, Mr. Perrow and Mrs. Ferguson.

After discussion and by consensus of the Board it was agreed that Mr. Moore and Mr. Kendrick would serve on this committee representing the Board of Supervisors.

Mr. Kendrick made a motion to revise the Educational Advisory Committee to an Educational Finance Committee with two members of the Board of Supervisors, two members of the School Board, Mr. Perrow and Mrs. Ferguson serving on this committee for the sole purpose of coming to a financial agreement between the two Boards. Vote: all aye.

Being no further business, at 8:40 P.M., Mr. Kendrick made a motion seconded by Mr. Carter to recess until March 28, 2000 at 6:00 P.M. in the Courthouse. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Kendrick, aye.

Russell H. Moore, Chairman

A recessed meeting and budget work session of the Appomattox County Board of Supervisors was held on March 28, 2000 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia 24522.

Present:

Mr. Russell H. Moore - Chairman - Piney Mountain District
Mr. Jesse L. Hancock - Falling River District
Mr. Frank H. Carwile - Wreck Island District
Mr. Jerry G. Kendrick - Appomattox River District

Absent:

Mr. Samuel E. Carter - Courthouse District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Moore called the meeting to order and asked Mrs. Ferguson to begin.

Mrs. Ferguson presented the members of the Board with information requested at the previous meeting concerning the services that the Health Department provides for Appomattox County

citizens.

Mrs. Ferguson also explained that the State and Local Hospitalization budget was mandated by the Code of Virginia for indigent persons.

Mrs. Ferguson then provided other information that had been requested concerning the proposed FY2001 budget.

A detailed review of the proposed FY2001 budget followed.

After budget review and discussion, being no further business, at 8:50 P.M., Mr. Kendrick made a motion seconded by Mr. Hancock to adjourn. Vote: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Kendrick, aye.

Russell H. Moore, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on April 3, 2000 at 5:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Frank H. Carwile - Wreck Island District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Moore called the public hearing to order at 5:30 P.M. and explained the purpose of the public hearing was to receive comments on a proposed revision to the County Code reference hunting with high powered rifles in Appomattox County. Mr. Moore then gave the procedure for addressing comments to the Board.

Mr. Moore then called for comments.

Mrs. Ellen Jamerson came forward and gave her address as Route 727, Appomattox, Virginia. Mrs. Jamerson began that she would like to share some information with the Board that came out of the 1999-2000 hunting regulations. Mrs. Jamerson then stated that Buckingham County did not

presently allow rifles larger than a 22 and shotguns during hunting season. Mrs. Jamerson continued that Buckingham was one of our adjoining counties that presently had these restrictions. The restrictions state that no rifle larger than a 22 for hunting, it is unlawful to use muzzle loaded rifles during regular hunting season, and it is unlawful to use a rifle larger than a 22 rim-fire when hunting ground hogs. Mrs. Jamerson continued by providing statistics from the Department of Game and Inland Fisheries on hunting accidents involving rifles. In closing Mrs. Jamerson stated that she had petitions signed by three hundred and seven citizens of the County in opposition to the proposed change in the ordinance. (Petitions are on file in the April Board of Supervisors file).

Mr. Moore then called on Mr. Robert Stephenson to come forward.

Mr. Stephenson came forward and gave his address as Gladstone, Virginia. Mr. Stephenson stated that he was in favor of the use of high powered rifles in Appomattox County.

Mr. Moore then called on Mr. Willie Craft to come forward.

Mr. Craft began by giving his address as Route 634, Appomattox, Virginia. Mr. Craft continued that he was in favor of the use of high powered rifles in Appomattox County. Mr. Craft stated that he had only hunted three times in Appomattox County in thirty-one years because he preferred to hunt with high powered rifles and was therefore forced to go elsewhere to do his hunting. Mr. Craft stated that he has some feelings about the petition that had just been presented because people went door to door getting signatures and even showed up in Church on Sunday morning asking people to sign the petitions against high powered rifles. Mr. Craft continued that he did not feel that people should go to these lengths to get petitions signed. Mr. Craft once again stated that he was in favor of hunting with rifles in Appomattox County just like the majority of counties in Virginia.

Mr. Moore then called on Mr. Donald W. Carrico, Sr..

Mr. Carrico came forward and gave his address as Route 2, Appomattox, Virginia. Mr. Carrico continued that he was for rifles in Appomattox County. Mr. Carrico stated that this was a hunting issue and he felt that this was a sport. Mr. Carrico continued that some people had basket weaving and some people enjoyed golf, he had hunting.

Mr. Moore then called on Mr. Marshall W. Forest to come forward.

Mr. Forest came forward and gave his address as Route 645, Appomattox, Virginia. Mr. Forest continued that he supported the use of rifles in Appomattox County. Mr. Forest explained that several years ago his son gave him a rifle and he had to go out of the County to use it. Mr. Forest continued that there were sixty-one counties in this state that allow hunting with rifles. Mr. Forest stated that there were counties that are very populated such as Henrico County. Mr. Forest also pointed out that there were counties with terrain flatter than here. Mr. Forest continued that he did

not feel that safety was an issue here.

Mr. Moore then called on Mr. Herman Thomas to come before the Board.

Mr. Thomas began by giving his address as Route 669, Appomattox, Virginia. Mr. Thomas began by saying that he was against the use of rifles in Appomattox County. Mr. Thomas stated that he was in the military service for thirty-four years and he knew first hand what a rifle can do. Mr. Thomas continued that the last speaker had stated that this was not a safety issue but to him this was a safety issue. Mr. Thomas explained that with a shotgun you could only shoot within sight of what you could see where with a rifle once it leaves your sight you don't know where that bullet is going. Mr. Thomas continued that wind factors, weather factors, can effect where that bullet is going. Mr. Thomas explained that the bullet could ricochet. Mr. Thomas stated that in his subdivision one of the neighbors was target practicing and accidentally shot another neighbors dog. In closing Mr. Thomas stated that if you must make an error, error on the side of safety.

Mr. Moore then called on Betty A. Bryan to come forward.

Mrs. Bryan came forward and gave her address as Route 2 Box 106M, Concord, Virginia. Mrs. Bryan began by saying that she was not in favor of the use of rifles in Appomattox County. Mrs. Bryan stated that she did not believe that our terrain was suited for hunting with rifles. Mrs. Bryan stated that we have too many people coming into our area as it is to hunt and that if the Board allowed rifles there would be more. Mrs. Bryan continued that her family has had many unfavorable experiences with shotgun hunters during hunting season. Mrs. Bryan continued that shotgun pellets have bounced off her roof and that of her parents. Mrs. Bryan stated that hunters have cut their fences, shot livestock and even threatened her husband on their own land. Mrs. Bryan explained that hunters line the roads many with a gun in one hand and a beer in the other. Mrs. Bryan asked if the Board of Supervisors was willing to commit tax dollars for additional wardens to patrol during hunting season? Mrs. Bryan asked if the Board were willing to loose the taxpaying citizens who were not willing to subject their families to the potential dangers? Mrs. Bryan asked what possible benefit could hunting with rifles add to the community? Mrs. Bryan then listed several complaints with hunting season as it is now. Mrs. Bryan in closing asked that the Board deny the use of rifles in Appomattox County.

Mr. Moore then called on Mr. Howard Bryan to come forward.

Mr. Bryan began by giving his address as Route 2 Box 106M. Concord, Virginia. Mr. Bryan continued by giving some of his background as a Marine officer. Mr. Bryan explained that he had received lots of training with a high powered rifle and that he still did not feel proficient using a high powered rifle. Mr. Bryan continued that the community was changing, farms were growing up and the area becoming more populated. Mr. Bryan stated that their house has been hit three times with shots and the last time a window in his daughters bedroom was broken. Mr. Bryan in closing, stated

that he was concerned with the safety issue and asked the Board to not approve the proposed change to the ordinance to allow the use of rifles in Appomattox County.

Mr. Moore then called on Mr. Charles Elliott to come before the Board.

Mr. Elliott began by giving his address as the Town of Appomattox. Mr. Elliott continued that he was not concerned about himself but was concerned for the safety of his grandchildren. Mr. Elliott stated that they lived in a rural area in Evergreen and he would be concerned with rifles being used around their home. Mr. Elliott continued that he felt that hunters want to use rifles so that they can ride the roads and shoot deer in fields. Mr. Elliott stated that he had hunted most of his life and that he did not feel that it was necessary to have a rifle to hunt he felt that shotguns were sufficient.

Mr. Moore then called on Mr. Robert Winston to come forward.

Mr. Winston gave his address as Route 4, Appomattox, Virginia. Mr. Winston began that he had pulled military time too and he went on to explain the difference in the military bullets that were used and the bullets that were used for hunting purposes. In closing Mr. Winston stated that he felt they should be able to use rifles.

Mr. Moore then recognized Mr. Butch Harris.

Mr. Harris came forward and gave his address as Route 1, Spout Spring, Virginia. Mr. Harris stated that he was in favor of hunting with rifles and wanted to point out that irresponsible people can hunt with shotguns also.

Mr. Moore then called on Mr. Lannis Selz.

Mr. Selz gave his address as Route 1, Spout Spring and stated that he was not sure if he was for or against this change. Mr. Selz continued by providing the Board with information concerning the difference between shotgun pellets and high powered rifle bullets. Mr. Selz continued that when people did comparisons with other counties you should do the comparison completely. Mr. Selz proposed that hunting with dogs was not allowed in most counties that allowed rifles. Mr. Selz continued that there was a lot of difference in hunting with rifles and hunting with shotguns. In closing Mr. Selz asked the Board to carefully consider all the facts prior to making a decision.

Mr. Moore then called on T. E. Moore, Jr. to appear before the Board.

Mr. Moore gave his address as Route 2, Appomattox, Virginia and that he was here on behalf of twenty-five farmers and landowners. Mr. Moore stated that he was a Appomattox county farmer and that he and the people he represented were in favor of a rifle ordinance. Mr. Moore continued that sixteen more farmers had signed his petition since he entered the Courtroom. Mr. Moore stated that

he had only been working on gathering signatures since Saturday and felt that he could gather many more given the time. Mr. Moore stated that they believed that the majority of landowners were in favor of the rifle ordinance.

Mr. Moore then called on Mr. Danny Pugh to come before the Board.

Mr. Pugh began by giving his address as Route 1, Spout Spring. Mr. Pugh stated that he had a great deal of experience with rifles and that there were a number of counties that allow rifles and dogs and he felt that Appomattox County should give their citizens the right to use rifles while hunting with dogs.

Mr. Moore then called on Mr. Raymond Mullins to appear before the Board.

Mr. Mullins gave his address as Route 1, Appomattox, Virginia and continued that he hunts with County Line Hunt Club. Mr. Mullins stated that a lot of the time they hunt in Campbell County where the rifle is legal. Mr. Mullins continued that he felt that people have the impression that hunters hunt in subdivisions and that this is not the case. Mr. Mullins stated that mostly hunters hunt in large tracts of timber with no houses within one half a mile. Mr. Mullins stated that he felt that it was safe to hunt with rifles in Appomattox County and encourage the Board to change the ordinance accordingly.

Mr. Moore then called on Mr. John Masserini to come forward.

Mr. Masserini gave his address as Route 5 Box 81, Appomattox, Virginia. Mr. Masserni began by saying that he has been a firearms instructor in the past and has yet to meet a slob hunter who will be shooting at someone's house or children. Mr. Masserni stated that people complain about guys shooting from the road, he continued that this was illegal and that anyone seeing this should call the law. Mr. Masserni stated that the difference in rifles and shotguns was that rifles were more accurate. Mr. Masserni gave some facts concerning rifle usage. Mr. Masserni then commented on a letter that was in the newspaper. In closing, Mr. Masserni stated that he was in favor of hunting with rifles in Appomattox County.

Mr. Moore then called on Mr. Lester Goin to appear before the Board.

Mr. Goin came forward and gave his address as Cloverhill District. Mr. Goin then stated that he had approximately 200 names on petitions that were against changing the ordinance to allow rifles and also a petition that was requesting the Board of Supervisors put the matter as a referendum on the ballot. Mr. Goin continued that he owned seven hundred acres of land and that he had a good relationship with the hunting clubs and he was concerned with safety. Mr. Goin explained that citizens already have a fear of hunters and that this would only increase with the use of rifles. Mr. Goin, in closing, stated that he was not in favor of rifles and would request that the Board allow the

citizens to decide by putting this as a referendum on the ballot.

There was some discussion concerning taking a vote on this issue.

Mr. Moore allowed everyone that was in favor to raise their hands.

Mr. Moore then allowed all that were not in favor to raise their hands.

Mr. Moore then called on Mr. Jesse M. Rosser to appear before the Board.

Mr. Rosser came forward and gave his address as Route 6 box 1415, Appomattox, Virginia. Mr. Rosser stated that he realized that he was in the minority at this meeting because he was opposed to the use of rifles in Appomattox County. Mr. Rosser stated that he would like to point out two things. He asked the Board to pay close attention to the safety issue and investigate the statistics that Mrs. Jamerson had presented and explore the statements that Mr. Selz had made. Mr. Rosser, in closing stated that he trusted the Board would do the right thing for the County.

Mr. Moore then asked if anyone else wished to comment?

Mr. Bill Hunter came forward and gave his address as Route 1, Appomattox. Mr. Hunter stated in opening that he was not against the hunter but was here to speak on behalf of safety. Mr. Hunter continued that we have had some tragic accidents in Appomattox County in the last few years and he was very concerned. Mr. Hunter continued that he felt that hunters must identify there targets prior to shooting. Mr. Hunter stated that he grants permission for hunters to hunt on his property but he does not allow rifles. Mr. Hunter then quoted Dr. Lyle Babcock, whom he referred to as the greatest sportsmen in the County, as saying in one of several books that he wrote, "I don't want to shoot an elephant". Mr. Hunter stated in closing that he was opposed to the use of rifles in Appomattox County because he was concerned with safety.

Mr. Moore then called for other comments.

Mr. Dennis Torrence came forward and gave his address as Route 2, Appomattox, Virginia. Mr. Torrence stated that he had personal reasons for being opposed to hunting with rifles and that one of these reasons concerned a near accident that occurred with his grand child. Mr. Torrence encouraged the Board to make Appomattox a safer place to live by not allowing the use of rifles for hunting. Mr. Torrence explained several things that were taught in hunter safety courses. Mr. Torrence then stated that it was chilling to him to think that his loved ones could be in the scope of a rifle. In closing Mr. Torrence told the Board to vote what they believed to be the right thing for the citizens of Appomattox County.

Mr. Moore then asked if anyone else wished to comment?

Mr. R. B. Parris came forward and gave his address as Route 727, Appomattox. Mr. Parris continued that he was a hunter safety instructor and a hunter. Mr. Parris continued that he was insulted by some of the speakers. Mr. Parris stated that there were always a few bad eggs in any group. Mr. Parris continued that he wanted to reiterate a few things that he had said at an earlier meeting. Mr. Parris stated that the terrain in the surrounding counties was virtually the same and that if a problem occurred with a hunter then it should be reported to the proper authority. Mr. Parris suggested that the Board of Supervisors form a committee to go to the counties that allow rifles and check to see what kind of safety problems they have.

Mr. Moore then called for other comments.

Mr. Hugh Dolan came forward and gave his address as Route 2, Appomattox, Virginia. Mr. Dolan began by reading a letter from a friend of his who lives and hunts in Appomattox County.

On Thanksgiving Day 1975 I killed my first deer. I was thirteen years old and hunting under the close supervision of my father in Charlotte County. I was using a lever action Marlin 30-30 rifle which served me well on that day and many more to follow. Even though I have had many occupations since that day that have carried me away from home I have always returned to Charlotte County to hunt. I am now thirty-eight years old and stationed in law enforcement in Appomattox County. I would like to see the County pass a law which would now allow rifles to be used. In twenty-five years since my first deer kill I have had the opportunity to take at least one hundred deer with many different rifles. Four of these are mounted and hang on my walls. Of these four deer all were taken with a rifle and could not have effectively been taken with anything other than a rifle. Also, of the numerous rounds I have fired while hunting as well as in practice, they have all gone without incident. In comparison, I have only taken one deer in my life with a shotgun. I am not aware of any incident in my hunting group within the past twenty-five years that involved rifles, however, I can recall several improper uses of a shotgun that involved property damage, injury and sometimes eventually a fist fight. My point would be that there is nothing inherently dangerous about a rifle. It all boils down to abuse. Poor judgement on the part of anyone can cause an accident with anything including trucks, bows and arrows, bowling balls, etc.

Signed: R. P. DeJarnette, Jr.
P. O. Box 577
Appomattox, Virginia 24522

Mr. Dolan stated that Mr. DeJarnette was currently a State Trooper assigned to Appomattox County. Mr. Dolan continued that he was here this evening to address the Board to talk about the scare tactics that have been used to scare the Board and the citizens of Appomattox County. Mr. Dolan continued that these scare tactics were based entirely on the ignorance of the facts. Facts such as: Our hunters by and large do not hunt posted land without landowners permission, we as a whole do not shoot deer at night, we don't's let our children run around with guns blazing, we don't shoot at structures

or farm animals or farm equipment and we certainly don't shoot men, women or children going about their daily routine. Mr. Dolan stated that Appomattox County is far more mountainous and far less populated than a lot of counties in Virginia that allow hunting with high powered rifles. Mr. Dolan stated that only 28 counties in Virginia have ordinances that restrict high powered rifles. Mr. Dolan continued that approximately one month ago he presented a petition to the Board with approximately 900 signatures of Appomattox County citizens who are housewives, salesmen, truck drivers, deputy sheriff's and state police officers and many, many, many, farmers and landowners. Mr. Dolan did not feel that all of these 900 people could be wrong considering that they had their families, friends and co-workers only a few miles away that have been hunting for years, legally, ethically, and safely with high powered rifles. Mr. Dolan, in closing, asked the Board to look beyond the smoke screen of deception and misinformed opinions of a few and allow the use of rifles for hunting in Appomattox County.

Mr. Moore called for other comments.

Mrs. Sara Meissner came forward and gave her address as Route 4, Appomattox, Virginia. Mrs. Meissner gave several examples of how hunters have abused her and her family. Mrs. Meissner continued that she had no problem with hunters who hunted legally but everyone knows that many hunters shoot from the road, and shoot at night. Mrs. Meissner stated that she felt our efforts should be targeted against those that violate the laws and that she was strongly opposed to the use of high powered rifles as a mother, wife, school bus driver, and as a taxpayer.

Mr. Moore then explained that Mrs. Ferguson had several letters that were requested to be read into the record.

Mrs. Ferguson read:

March 30, 2000

Re: High powered-long range rifles

Dear Jerry,

I have tried to call you many times but your phone is continuously busy. I am opposed to legalizing this rifle for hunting deer, etc. in the County of Appomattox.

I am concerned about the safety of children. Approximately 400 acres of wooded land surround my home and the homes of my five (5) grandchildren. They enjoy the freedom of playing in their yard, climbing trees, playing in the creek, fishing, playing in their tree houses, hiking, and four wheeling. The high powered long range rifle is dangerous to children who enjoy the outdoors as my grandchildren do.

The use of such a weapon is demeaning to the skills of expert hunters. This would also lessen the sportsmanship of hunting.

I recall that my deceased husband, John T. Paulette, who was an avid hunter was opposed to this manner of hunting. Some of his deceased friends were also in opposition to this. James Ford was one of them. Having been in law enforcement and an experienced hunter makes his opinion of value.

Criminals who get their hands on such weapons will cause great problems with guns so powerful.

Young and inexperienced hunters will find such power awesome and heartache will often occur.

You may say post our land. Sure! But what about those who hunt without permission and they do. We know from experience of seeing and hearing their shots that this does happen.

Please voice my concern as my representative.

Sincerely,
Yvonne F. Paulette
P. O. Box 816
Appomattox, Virginia 24522

You may use this at any meeting.

Mr. Carter explained that he had a letter that he needed to read.

Mr. Carter read:

Hunter Marshall
8107 New Chapel Rd.
Spout Spring, Virginia 24593

April 3, 2000

Appomattox Board of Supervisors

Subject: Use of Rifles in Appomattox County

Dear Appomattox Board of Supervisors,

There are some facts about the use of rifles for deer hunting that have not been clearly stated.

Most of the counties that allow rifles for deer hunting do not allow the use of dogs or don't have as much of a problem with hunters shooting from the road at deer being chased by dogs.

Those that say that rifles are no different from Black Powder have not stated that Black Powder season does not allow the use of dogs and that Black Powder range is much shorter than rifles used for deer hunting.

Even though shooting from the road is illegal, the problem that currently exists will likely get worse. The longer range of the rifles will allow for more opportunities for those that do shoot from the road. Rifle proponents say they should not be punished for the illegal hunters but why should the landowner be required to deal with the problem?

People do get shot with rifles. During the 1998 season a Campbell County man was shot in his own back yard when a rifle was used to shoot at a running deer.

There are many people that are unfamiliar with the area that come to hunt in Appomattox County. When they pull up in a truck, I hate to think that person may be getting ready to use a rifle to shoot at a running deer.

Please consider your decision well and weigh the privilege of the hunter using a rifle against the landowners feeling of safety on their own property.

Sincerely,

Hunter Marshall

At 6:30 P.M. Mr. Moore declared the public hearing closed.

All Petitions are filed in the Board File for the month of April 2000.

Russell H. Moore, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on April 3, 2000 at 6:00 P.M. in the Appomattox County Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District
Frank H. Carwile - Wreck Island District

Also Present:

Aileen T. Ferguson, County Administrator
Andy Carroll - Assistant County Administrator
Darrel Puckett - County Attorney

Mr. Moore called the meeting to order at 6:48 P.M. after the public hearing and delivered the invocation.

Mr. Moore then called for additions or corrections to the minutes.

Mr. Carter noted several corrections to the minutes of February 23, 2000 and the minutes of February 28, 2000.

Mr. Carter then made a motion seconded by Mr. Kendrick to approve the minutes of the February 23, 2000 joint meeting and the March 6, 2000 regular meeting as corrected, the public hearings of February 28, 2000 and March 20, 2000, and the joint public hearing of March 20, 2000. Vote: Mr. Moore, Aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carter, aye; and Mr. Carwile, aye.

Mr. Moore then called for approval of the bills for April 3, 2000.

Mr. Carter made a motion seconded by Mr. Kendrick to approve the bills for April 3, 2000. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then explained that a closed session was necessary under section 2.1-344(A)(7) legal and section 2.1-344(A)(1) personnel matters.

At 6:48 P.M. Mr. Carwile made a motion seconded by Mr. Carter to enter into closed session to discuss a legal matter (Section 2.1-344(A)(7) and a personnel matter (Section 2.1-344(A)(1). Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carter, aye; and Mr. Carwile, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick at 7:09 P.M. it was resolved the Board of

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then called on Mrs. Sandra Lindsay, VDOT, Resident Engineer, to appear before the Board.

Ms. Lindsay began by explaining that the Board had a copy of a resolution in their book that she wished to explain. Ms. Lindsay continued that about a year ago she mentioned to the Board that she had received a copy of a request that had been made by Norfolk Southern Railroad for a crossing in Appomattox County be closed. Ms. Lindsay explained that this was the eastern crossing located on Route 674 which was improved several years ago by adding gates and flashing lights. Mrs. Lindsay continued that a year or so ago the Board discussed this matter and decided not to close this crossing and she informed the Department of Transportation of the Board's wishes. Ms. Lindsay continued that she received a letter back from the Department of Transportation stating that they would not pursue this issue but they wanted a resolution from the Board of Supervisors.

Mr. Carwile made a motion to adopt the following resolution seconded by Mr. Carter:

WHEREAS, the Board of Supervisors of Appomattox County has become aware of Norfolk Southern Corporation's potential interest in having a portion of Rout 674 closed at its east grade crossing, DOT 467-996A, of the company's rail line in the Spout Spring area of Appomattox County,

WHEREAS, the closure of railroad grade crossings located on the State Secondary Road System are subject to the approval of the Commonwealth Transportation Board pursuant to Section 33.1-145.1 of the Code of Virginia, as amended,

WHEREAS, this grade crossing is protected with flashing lights and gates and has historically and continues to provide a safe crossing point of the Norfolk and Southern Railroad,

WHEREAS, the grade crossing on this loop road provides public service to thirteen houses and two farms,

WHEREAS, the closing of the crossing will create a dead end road with only one access across the Norfolk Southern Railroad and will increase the potential for delay of police, fire and emergency services to the residents,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Appomattox County, for the reasons stated herein, vigorously oppose the closure by the Commonwealth Transportation Board of the portion of Route 674 at the Norfolk Southern Railroad east grade crossing in Appomattox County.
Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carter, aye; and Mr. Carwile, aye.

Mr. Moore asked if anyone had anything else for Ms. Lindsay?

The Board having no concerns for Ms. Lindsay, Mr. Moore thanked and excused her.

Mr. Moore then called on Mr. Matt Grashoff and Mr. Lonnie Reynolds of G.T.E. to appear before the Board.

Mr. Grashoff and Mr. Reynolds explained that their reason for appearing before the Board was to present a proposal for cost savings towards a new telephone system. Mr. Grashoff then made a very informative presentation concerning his proposal.

Mr. Grashoff then answers questions concerning his proposal for members of the Board.

After discussion, and by consensus of the Board it was agreed that Mrs. Ferguson would schedule a meeting with Mr. Grashoff and the Constitutional Officers and Department Heads that will be affected to see if they are interested in the proposal.

Mr. Moore then thanked Mr. Grashoff and Mr. Reynolds and called on Mrs. Darlene Reed to appear before the Board.

Mrs. Reed explained that her purpose for meeting with the Board was to request funding from the Board to assist the Chorals at Appomattox County High School and Appomattox County Middle School in making a trip to Orlando to perform at Universal Studio's and various other local places. Mrs. Reed played a portion of a tape of the Chorals performance. Mrs. Reed asked that the Board please consider this request since these were deserving children that needed some help.

Mrs. Reed then answered questions of the Board.

Mr. Moore thanked and excused Mrs. Reed and assured her the Board would consider her request.

Mr. Moore then called for Supervisor Concerns.

Mr. Carter began that he would like to request that someone attend the Economic Development Seminar in Danville. He continued that he felt this would be a good meeting for someone to attend.

Mr. Carroll stated that he planned to attend this meeting.

Mr. Carwile then addressed the Board and stated that in one of the Board's recent meetings he had brought before the Board the idea of standardized plans for schools. Mr. Carwile continued that he had given the Board some time to think about this and would like for the Board to follow up on this if they thought that it would be beneficial to the County.

Discussion followed. Mrs. Ferguson will request VACO to poll other counties to see how they felt about standardized school plans.

Mr. Carter made to motion seconded by Mr. Carwile to approve Stonewall Vineyards permit application for Entertainment Festival on May 13, 200 and waive bond fee. Vote: Mr. Moore, aye: Mr. Kendrick, aye; Mr. Carwile, aye; Mr. Carter, aye; and Mr. Hancock, aye.

Mr. Carter made a motion, seconded by Mr. Hancock to send a letter to the Chairman of the House Appropriations Subcommittee and the Chairman of the Senate Appropriations Subcommittee supporting NACo's request for increased funding to the CDBG and HOME programs. Vote: Mr. Moore, aye; Mr. Kendrick, aye, Mr. Hancock, aye; Mr. Carter, aye; and Mr. Carwile, abstained.

Ms. Terry Cestaro has resigned her seat on the Library Board and the Board needs to appoint a replacement. Mr. Carter made a motion, seconded by Mr. Kendrick to appoint Mr. Tom Chalfont to the Library Board. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr Carter, aye; and Mr. Carwile, aye.

Mr. Ryan Jennings has requested to be considered for an internship with the County for this summer. We have never participated in such a program and there are no funds available in the budget to pay salary. Mrs. Ferguson will check on liability for volunteers with the County.

Mrs. Ferguson asked the Board what they wished to do regarding the hiring of bond council for the County's upcoming financing needs as discussed at a previous meeting. Mr. Kendrick made a motion, seconded by Mr. Carter to hire Sands, Anderson, Marks and Miller. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Sheriff Staples requested a supplemental appropriation of $118.37 for overtime reimbursement by the schools for officers working basketball games. Mr. Carter made motion seconded by Mr. Carwile to appropriate $118.37 to 3102-1002 for reimbursement for

officers working basketball games. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Martin is requesting an appropriation in the amount of $19,385.00 for the first payment on Capitol Project - Sheriffs Addition. Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $19,385.00 to 4302-7000 for payment on new addition to Sheriff's Office. These funds will be paid from I.D.A. Bond proceeds. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The School Board is requesting $80,000.00 supplemental appropriation to pay architectural fees to VMDO on elementary school project for the month of April 2000, Mr. Carter made a motion, seconded by Mr. Kendrick to appropriate $80,000.00 to the School Budget to cover architectural fees for elementary school project. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Brickhill is requesting a supplemental appropriation from the Law Library Fund in the amount of $134.84 to pay bills for the month of April 2000. Mr. Carwile made a motion, seconded by Mr. Kendrick to appropriate $134.84 from Law Library Fund for the month of April 2000. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

There was a discussion on the Biennial Plans to the Department of Criminal Justice Services for VJCCCA. Mr. Carter made a motion, seconded by Mr Kendrick to join with the counties of Buckingham, Charlotte, Cumberland, Lunenburg and Prince Edward in forming one plan to serve all the counties. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Board set a meeting date of Saturday, April 8, 2000 at the Courthouse to discuss setting the 2000 tax rate.

Mr. Kendrick made a motion, seconded by Mr. Carter to accept the Planning Commission's recommendation to approve Petition # 00-417 - Robert C. Stevens to rezone property from A-1 to R-1, Tax Map #60-A-53 located on Route 608 between Route 460 and Route 609. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll requested a supplemental appropriation in the amount of $7,200.00 for hauling leachate from landfill pond to the Town of Appomattox for disposal and $1,500.00 for fertilizer and seeding for Cell I for intermediate cover and borrow area. Mr. Carter made a motion, seconded by Mr. Hancock to appropriate $7,200.00 to cover cost of hauling leachate from landfill and $1,500.00 for fertilizer and seeding. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr.Carwile, aye; and Mr. Carter, aye.

A supplemental appropriation from the Library in the amount of $116.09 from the Summer Reading Program for the month of April 2000. Mr. Carter made a motion seconded by Mr.

Hancock to appropriate $116.09 from the Summer Reading Program to 7301-5415. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 8:40 P.M., Mr. Carwile made a motion, seconded by Mr. Kendrick to recess meeting until Saturday, April 8th, 2000 at the Appomattox County Courthouse. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter. Aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a budget work session on April 8, 2000 at 8:00 a.m. in the Appomattox County Courthouse, Court Street, Appomattox, Va.

Present: Russell H. Moore, Chairman, Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Aileen T. Ferguson, County Administrator
Lannis Selz - School Board Member

There was a lengthy discussion on the budget expenditures and tax rate.

Mr. Carwile stated we are looking at a budget with roughly a $2,000,000 shortfall.. We need to be real with ourselves and the people. The school budget is the only place we really have to make any changes.

Mrs. Ferguson stated she had transferred the $700,000 into the Revenue from the IDA.
The $300,000 for the Sheriff's Department was also put in there. That is where the major adjustment comes in.
The first item for discussion was Budget Expenses.

Department 7109 - Donations - page 57:

Youth Sports -	$	5,000
Pamplin Recreation Center		1,500
American Legion		1,000
Railroad Festival		1,500
Legal Aid Society (new request)		1,648

ACHS After Prom Party 250
Community of Candles 500
(Was $250 , raised to $350 and last year asked for $446 so I just raised it to $500.)
Southside Employment Training 5,000
(STEPS that deal with handicap and mentally impaired)
Southside VA Business & Education (requests funds every year never given to)
4-H Education Center 540
(This basically covers there landfill fees and you have pretty much covered this for the last couple of years.)
Lynchburg Center for Independent Living 5,000
(New requests)
Pamplin Fire Department 30,000
(Outside their normal donations and donation on building)
The Arc 5,000
(Mentally impaired live in community)
Lighthouse of Love 50,000
Blue Ridge Emergency Medical Council 1,320

There are a lot of new requests that you have never funded. Total amount around $94,160 in new requests.

Discussion on the above as to what could be funded and what has to be cut.
Mr. Kendrick stated he felt the Pamplin Fire Department request was a fair request because they intended to use the old building for a community center until the R. R. Station was renovated, and the old building would also be used as an emergency center.

More discussion on the issue of tax rate lagging behind and the debt service rising.

Mr. Carter spoke in favor of keeping the donations as they have been and not increasing any or taking on any new ones. Mr. Moore agreed.

Mr. Kendrick requested we fund the $15,000 for Pamplin Fire Department.

Mr. Hancock stated he felt if we cut one new request, we cut them all. If you reduce some, reduce them all.

Mr. Hancock suggested that the Lighthouse of Love request be cut in half from $50,000 to $25,000.

Decision was to take all new requests out and will address this later.

Department 3202 - Volunteer Fire Departments - page 30:

Mrs. Ferguson stated that the Board has some questions about Concord Fire Department - 5607. You all determined last year that you would make a standard $2,000 contribution to all rescue squads and fire departments outside the locality that serve the county. Mrs. Ferguson stated she has placed $10,000 in because they had made a request for additional help for their building last and year you had given them $10,000.

Discussion followed.

Mr. Carter suggested the standard donation of $2,000 be allowed for Concord Fire Department. Everyone agreed.

Department 3203 - Volunteer Rescue Squads - page 31:

Concord Volunteer Rescue Squad last year requested $10,000 to help pay for a crash truck. Mrs. Ferguson has again included $10,000 this year. Decision was to allow the standard $2,000 donation.
Everyone agreed with the exception of Mr. Kendrick.

Department 1201 - County Administrator - page 2:
If a Finance Officer is to be included, expect to add no less than $35,000. ($26,000 salary plus benefits). If you figure a salary of $50,000 you can expect to add at least $65,000 to that and this does not include any clerical. Discussion followed.
Agreed to add $90,000 to 1201 making total for 1201 - $289,735.

Department 2201 - Commonwealth Attorney - page 18:
Difference between 3.25% rate and whatever Cindy figured for salaries, is $11,536 you can take out of your total Also $15,378 has been requested for equipment, this has been requested from the State and if the State agrees to pay for this equipment, you can add this to the revenue side of the budget. At the present time the State has not agreed to this.

Discussion followed.

Department 3102 - Sheriff's Department - page 22
Minus $459.00 for difference in calculations on salaries.

Department 3103 - Sheriff's Department (Town) - page 23:
Minus $690.00 for difference in calculations on salaries.

Department 7102 - Parks & Recreation - page 54:
Capitol Outlay $125,000 for planning for community park, etc.
(There are grants, etc. out there but we need to get ground work done before we can ask for donations, etc.)
Discussion followed.
Minus $125,000 - 7102-7000.

Department 4302 - General Properties - page 44:
$300,000 - Capitol Outlay - Committed this to Sheriff's Department Building.

Department 8105 - Economic Development - page 64:
$345,728 - Town/County Sewer Project - commitment has been made - start payments in July 2000.

Department 3401 - Office of Building & Housing - page 34:
There has been some discussion of adding a position of Planner to handle zoning and subdivision, etc., and at this point if you added $20,000 to this budget, it would be minimal.
Discussion followed.

Discussion on School Budget, teachers salaries, cost of discipline problems, etc.
We need a bare bone figure for meeting SOQ's. Make salary increase to coincide with State increase.

Mrs. Ferguson questioned Mr. Selz regarding Lottery Funds coming from the State and also the School Construction Grant. Lottery Funds $317,737 and Construction Grant $271,860. You are asking for matching funds of which we paid none last year. Why didn't we pay any last year? Mr. Selz stated the he understood that through positioning, you had already matched this fund. Mrs. Ferguson stated she felt we were also doing the same thing this year. Need additional information from School Board before making adjustment to their Budget.

Discussion on setting a tax rate.

Mrs. Ferguson stated that the deadline for getting the notice to the newspaper for a hearing on the tax rate is Monday, April 10th. in order to meet the June 5th deadline.

Discussion continued.

Samuel Carter made motion, seconded by Jerry Kendrick to advertize Tax Rate at 80 cents per $100 with a Public Hearing to be held on April 20th, 2000 at 6:00 P.M.. Vote: Jerry Kendrick, aye; Samuel Carter, aye; Russell Moore, aye; Frank Carwile, nay; and Jesse Hancock, nay.

Jerry Kendrick made motion seconded by Samuel Carter to adjourn until April 13, 2000 at 6:00 P.M. at the Appomattox School Administration Building. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carter, aye; and Mr. Carwile, aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a recessed joint meeting with the Appomattox County School Board on April 13, 2000 at 6:00 p.m. at the School Administration Building on Court Street, Appomattox, Va.

Present: (Appomattox School Board)
Lannis Selz
Earl Pickett
Robert M. Mitchell
Clifford Rhodenizer
Martha Pankey

Present: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Aileen T. Ferguson, County Administrator
Dr. Walter Krug - School Superintendent
Barbara Jackson
Janice Marston
Bill Perrow
Joyce Jamerson
Bobby Waddell
Bob Moje
Ken Thacker
Allison Henry

Mr. Moore called the meeting to order at 6:00 p.m, stating that this was a recessed meeting from April 8, 2000 held in the Appomattox Courthouse.

Handouts were provided by Dr. Krug regarding school assessments and needs.

Mr. Kendrick reviewed some of the concerns discussed at the April 8th meeting. Mr. Kendrick stated that the Tax Rate had been advertized at .80 cents but the actual tax rate increase will depend on how much help we can get from you. Mr. Kendrick also stated he did not want to loose good, competent teachers because of salaries.

Lengthy discussion on salaries.

Mr. Perrow explained how the calculations were figured based on number of students and the rate set by the State. There is no option on SOQ funding, the law says you must meet this fund.
The State does not get involved in Capital Projects such as building, with the exception being the Lottery School Construction Grant..

Lengthy discussion on pupil ratio and State funding formula.

Bottom line figure that County has to match is $4,126,534.
These figures are subject to change depending on the number of pupils enrolled for year.
If these figures do change then the School Board will have to, as in the past, request additional funding.

Next meeting set for May 4th, 2000 at 7:00 P.M. in the School Board Conference Room.

At 8:30 p.m. Mr. Carter made a motion, seconded by Mr. Carwile to Adjourn. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

The regular meeting of the Appomattox County Board of Supervisors was held on April 17, 2000 at 6:00 P.M. at the Appomattox County Courthouse, Court Street, Appomattox, Va.

Mr. Moore called the meeting to order at 6:00 P.M.

Mr. Hancock gave the invocation.

Mr. Moore called for the approval of the April 17, 2000 bills.

Mr. Carwile made to motion seconded by Mr. Hancock to approve the bills for April 17, 2000. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then explained that a closed session was necessary under section 2.1-344 (A)(7) legal and section 22.1-344(A)(1) personnel matters.

At 6:02 P.M. Mr. Carter made a motion, seconded by Mr. Carwile to enter into closed session to discuss a personnel matter and a legal matter (Section 2.1-344(A)(1)and (Section 42.1-344(A)(7). Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter, seconded by Mr. Kendrick at 6:29 P.M.it was resolved the Board of Supervisors return to regular session. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Hancock the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act, and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended, requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard, discussed or considered by the Appomattox County Board of Supervisors.
Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Moore called for discussion for Board Members regarding Proposed Rifle Ordinance Change.

Mr. Carwile stated that "this was a highly controversial issue that faces us. It is a no win situation for us, but our responsibility is to do what is in the best interest for all of the citizens of Appomattox County and all concerned. I have friends on both sides and I agree with issues on both sides and this is certainly not an easy decision to make. Safety of our citizens and their property has to be our main concern in making this decision. I have talked, listened, read many letters, and studied the Code of VA and researched as much information from other counties as possible. Any way we go with this issue, we cannot please everybody, but we have to stand for what is best for all citizens of Appomattox County. I have spent a lot of sleepless nights over this issue and I hope the people will understand we cannot vote both ways. We must decide one way and hope they will accept that we make this decision with the best of interest of the County. If an issue is not for the betterment of the County, and it's citizens, it makes it hard to justify a change. Thank you Mr. Chairman."

Mr. Moore next addressed Mr. Carter.

Mr. Carter addressed the Chairman and other Board members, stating that "when this issue first surfaced, in my own personal mind, I thought this would be something that would be no controversy, not much emotion, something that would be fairly easy for this Board to make a decision on and do what was right for the County. However, how wrong was I, because after the first public hearing the message that came from the participants engaged in the first public hearing and in the second public hearing was a lot more in depth than I ever dreamed it would ever be. Since we have had those two public hearings, a lot of information and a lot of factual data has been presented and a lot of our citizens have done their homework which is apparent on the positive end of this. A lot of them came out and let their feelings be known to this Board on how they, the citizens of the County felt on this issue. I thought it was great. I got a lot of phone calls, I asked for them, as a lot of you did. We as representatives of the people cannot duly make a decision if not based upon our constituents input. I think each of us got that input and based upon the input I have received from the Courthouse District, I would have to vote NO."

Mr. Moore asked Mr. Kendrick for his comments.

Mr. Kendrick stated he agreed with both of the gentlemen on the Board and their comments. "So far

there have been very few easy decisions other than administrative details. We have had lots and lots of input, I listened to the hunters and I respect their position. I respect the fact that they are conscientious and responsible. There is an awful lot of discussion concerning the fact that there are those who hunt illegally and a lot of fear involved in this. On any given day, you can hear it both ways, and some days it only goes one way, but I honestly felt like Sammy when we first heard about it, I thought it would be a no-brainer. This is something that a lot of people want to do and I see no harm in that but I have had to listen to a lot of that during the past few weeks. I will say that I feel a lot of this is just emotion and fear of rifles. If I actually had to vote tonight, when I listen to the farmers and those who have had problems with shooting on their property, I am having a very, very difficult time with a decision. On the one hand, I want to see the hunters have the right of use the rifle and on the other hand I want to see the folks of the County not to be afraid to go outside and not be afraid at that particular time of the year for six weeks. At this time, if it came down to a strict vote on how we have to vote, up or down, I would have to take the position of down tonight. I can see this thing from both sides of it."

Mr. Moore then called from comments from Mr. Hancock.

Mr. Hancock stated that everyone knew how he felt, he had stated it in the paper and he had not changed his mind. "I will be the Lone Ranger tonight. I speak in favor of the rifle. I believe in the safety of the rifle. I believe that those who violate the law and do not get their vehicles off the road, there is a law already in place, all we need to do is enforce it. I feel that hunt clubs that are fortunate enough to rent land from Westvaco, some 1000 acres and some 3000 acres, should have a right to use rifles. I think the kids, the youth, should be under strict supervision. That is just my feeling. I believe that we all have the right to disagree but we should be agreeable. We are here for one cause and that is to work for the County. It is time to make a decision and move on. Thank you Mr. Chairman."

Mr. Moore stated, "I do not have a lot to say but what I do have to say is very serious to me. If you remember at the first meeting, I kind of talked up for the rifles because I thought it would be a good thing for the people, because we have a lot of good people who use rifles and use them safely. I have been visited by some people, in fact, last Saturday I had some one come down and spend about 35 or 45 minutes with me and gave me some information to read. I read it and agreed with everything it said in there. I agree that we have a lot of good hunters around here. I have a 22-250 myself that I use of shooting ground hogs and I am not dangerous with it and I protect others when I am using it. Unfortunately, when I started getting these calls, and I have had a lot of calls over the years when the school issues came up, I think I have had more activity in calls on this situation than before. My wife takes calls all day long for me when I am not there. A gentleman called me just before I left to come out to this meeting tonight and I had to tell him how I felt on this thing and I think he understood. I started getting feedback from people in my area over there and not only from my area, but other areas. I have gotten a lot of calls today from outlying area, down around Pamplin and Mr. Kendrick's area, and I must say the calls against rifles far outweigh the calls for rifles. In my own neighborhood and in my church I am accosted every time I go there by people who do not want rifles. But what has surprised me more than anything, is that the people in my area who are hunters, do not want rifles. I have had calls all day like that. I pride myself in representing my constituents and not let my personal feeling interfere with anything I do here. I like to get the lead from the constituents and

follow their advice, and unfortunately for you fellows who want to hunt with rifles, the vote is the other way and right now I really can't go against my constituents, because I have too many I have to go against, it is not a 50/50 situation. Saying that, you know where I stand, I have to represent the constituents, I have always done that I and want to continue doing it."

Mr. Moore asked if there was a motion for or against the rifle issue.

Mr. Hancock made the motion to lift the ban on rifle hunting

Mr. Moore called for a second.

Hearing no second, Mr. Moore stated the motion died for the lack of a second.

Mr. Moore called Elantha "Jimmy" Drinkard to appear before the board.

Mr. Drinkard stated that he was not aware of the fact that the Board had to give permission for the use of the County Seal. He is asking permission to use the Seal on the new history of Appomattox book.

Mr. Carwile made a motion to allow the use of the County Seal on the new history of Appomattox book, seconded by Mr. Kendrick. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

At 6:48 P.M. Mr. Moore called for a recess to be followed by the Public Hearing.

At 7:50 P.M. Mr. Moore reconvened the Board of Supervisors's Meeting.

Mr. Moore called Mr. Stan Goldsmith to appear before the Board.

Mr. Goldsmith thank the Board for allowing him to speak and stated his purpose was to give a brief over-view of the activities of Region 2000. Some of the things we are working on and what we have planned for the future.

Mr. Moore thanked Mr. Goldsmith and called Mr. Bill Slagle.

Mr. Slagle stated he had a very brief report tonight. He reported that the IDA project is on schedule and on budget. There are some minor change orders but things are going extremely well. He invited the Board to go out and take a look, he thinks they will be impressed. Everyone who has seen it, from Region 2000 to the State, have voiced their appreciation for this park. There are apparently two (2) prospects and we will continue to work with Region 2000 on these. There are two (2) housekeeping matter to discuss. Mr. Walter Hancock and Mr. Berk Drinkard's terms are coming to an end. Mr. Hancock has consented to be re-appointed and I urge the Board to do so. Mr. Drinkard has declined, due to health reasons. I have the name of a lady, Ms. Laurie Harris, who has the financial skills that would be very valuable to the IDA and she will be available for appointment, if the Board so chooses. He encourages the Board to take action on these as soon as possible.

Mr. Carter made a motion, seconded by Mr. Kendrick to re-appoint Walter Hancock and appoint Ms. Laurie Harris to the I.D.A. Board. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Slagle reminded the Board that there would be a meeting with the Planning Commission to present the proposed zoning district for Industrial District specific to the Industrial Parks.

Mr. Moore thanked Mr. Slagle and called Mr. John Phelps.

Mr. Phelps thanked the Board for allowing him to speak and introduced Ms. Katrina Adkin, his District Supervisor and stated she would be making the presentation to the Board.
Ms. Adkin gave a brief statement of her background and stated they would like to present the Board with a plan for County employees to participate in the AFLAC insurance program. They already represent Campbell, Halifax, Amherst and several other surrounding counties and towns.
She is very familiar with the structure of county governments. They also have local associates who are available for questions, etc., She is sure most of the Board has seen commercials about AFLAC, especially the Duck commercials. AFLAC is not a health insurance. It is a supplemental insurance, they pay regardless of other insurance, directly to the employee. They offer programs for cancer, intensive care, accident and disability and cover a lot of expenses that other policies do not. Ms. Adkin presented each of the Board members with a pamphlet on AFLAC. Ms. Adkin thanked the Board for allowing her to speak.

Mr. Moore thanked and excused Ms. Adkin and Mr. Phelps.

Mr. Moore then called for Supervisors Concerns.

The Citizen Forum has asked the Board if they are willing to accept a proposal on the old elementary school in order that they may proceed with planning.

Discussion followed with everyone in agreement that we should give the Forum the opportunity to see what they can do.

Mr. Carter made a motion, seconded by Mr. Kendrick that the Board send a letter to the Citizen Forum acknowledging their concept proposals. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mrs. Smith, Registrar is requesting to attend a Registrar's Workshop and the Board pay expenses in the amount of $130.00.

Mr. Carter made a motion, seconded by Mr. Carwile to approve expenses in the amount of $130.00 for Mrs. Smith to attend a Registrar's Workshop. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye and Mr. Carter, aye.

The Appomattox County Chamber of Commerce is requesting approval of their application to hold their annual Banjo Jam at Jellystone Park and that you waive fees and bond.

Mr. Carwile made a motion, seconded by Mr. Carter that the Board approve Chamber of Commerce's application to hold annual Banjo Jam and waive fee and bond. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Social Services Board is requesting that Mrs. Martha Watkins be appointed to replace Mr. Lacy Webb on the Social Services Board.

Discussion followed.

Mr. Carwile made a motion, seconded by Mr. Kendrick to appoint Mrs. Martha Watkins to the Social Services Board to succeed Mr. Lacy Webb, whose term expires on May 31, 2000. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye, and Mr. Carter, aye.

Robinson, Farmer and Cox have provided a proposal to continue preparing the Central Services Cost Allocation Plan for the County. They have done an excellent job in the past and Mrs. Ferguson recommends that their services be continued for the next three (3) years.

Mr.Kendrick made a motion, seconded by Mr. Carwile to accept Robinson, Farmer and Cox's proposal for the Central Services Cost Allocation Plan for the County for the next three (3) years. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Supplemental Appropriation Requests were submitted as follows:
(A) Sheriff's Office: The Sheriff's Office has been offered a grant totaling $2,080.00 to use to pay for overtime for drug enforcement. The cost to the County is $208.00.
(B) Animal Control: Appropriation for $41.00 to professional services in the Animal Control Budget for reimbursement received from Dinner Bell for a calf we were forced to sell due to owner being ordered to have all livestock removed from his property.
(C) Library: Appropriate the following to the Library budget for reimbursement and donations received. $17.75 to the office supply line;
79.70 to the book line;
114.00 from the summer reading program.
(D) Asset Forfeiture Account: Appropriate $130.00 from the asset forfeiture account for the month of April 2000.

Mr. Carter made a motion, seconded by Mr. Kendick to approve supplemental appropriations A, B, C and D. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

I.D.A. Bond appropriation request in the amount of $4,119.84 to pay for architectural services for the Sheriff's Addition.

Mr. Carter made a motion, seconded by Mr. Kendrick to appropriate $4,119.84 from the IDA Bond Account to pay for architectural services for the Sheriff's addition. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Appomattox County High School Chapter of Family, Career and Community Leaders of America

has requested funding for assistance for its members to attend a national conference. The total cost is $11,000.00 and they have raised $4,000.00. They would appreciate any help the Board can give them.

After discussion the Board did not feel they could fund this project at this time

Mrs. Ferguson informed the Board that a report from the Census Bureau stated our return rate of documents was 65% and the National percentage of return documents was only 61%. We were above the National average.

Mrs. Ferguson reminded the Board members of the Regional Dinner meeting on Wednesday, April 19, 2000 at 6:00 P.M. at Popular Forest. She will fax directions to those who need them.

At 8:33 P.M. on a motion by Mr. Kendrick, seconded by Mr. Carter the Board recessed until 6:00 p.m. on Monday, April 24, 2000. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

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A public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on April 17, 2000 at 7:00 P.M. in the Appomattox Courthouse, Courthouse Square, Court Street, Appomattox, Va.

Present: (Planning Commission)
Calvin Tanner
Al Sears
Kevin O'Brien
Claude Moore
Robert Johnson
Jim Sefter (arrived 7:07 P.M.)
Bill Caldwell, Clerk

Present: (Board of Supervisors)
Mr. Moore - Piney Mountain District
Mr. Kendrick - Appomattox River District
Mr. Carwile - Wreck Island District
Mr. Carter - Courthouse District

Also Present: Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Darrell Puckett - County Attorney

Mr. Moore called the public hearing to order at 7:05 P.M. and explained that the purpose of this hearing to receive public comments on several zoning petitions. Mr. Moore then explained the procedure for addressing comment to the Board. Mr. Moore next asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition #00-420 - Timothy and Jeanette Moore request Conditional Use Permit to allow two family dwelling in A-1 zoned district. Property is part of Tax Map No. 36-A-22B and is located on Route 653 between Route 608 and Route 721.

Mrs. Moore came forward and stated that they wished to build a 3800 sq .ft. home with two (2) kitchens to provide an apartment for her mother-in-law who is 72 years old. They have talked with their neighbors and to their knowledge there are no objections to this.

Mr. Moore asked if anyone wished to speak against this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #00-421 - Clayton Bryant, Sr. requests to rezone property from A-1 to B-1. Property is part of Tax Map No. 60-A-53 and 54 and is located on Route 460 between Route 609 and Route 608.

Mr. Moore asked if anyone wished to speak for or against this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #00-422 - Willie A. Coleman requests to rezone property from B-1 to M-1 with Conditional Use Permit to allow Truck and Heavy Machinery Repairs. Property is part of Tax Map Parcel No. 60-A-53 (Concord Business Park, Lot 10) and is located on Route 460 between Route 609 and Route 608.

Mr. Coleman came forward and stated he would like to construct a 40 ft x 60 ft. shop to work on trucks and heavy machinery. Building to be approximately 550 ft. from Route 460 and have a parking area of approximately 80 ft. x 80 ft. in front of building.

Mr. Moore asked if anyone wished to speak against this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #00-423 of John & Laura Roberts who are requesting a Conditional Use Permit to allow additional dwelling on single lot. Property is Tax Map Parcel #778–1-2 and is zoned A-1. Property is located on Route 632 between Route 634 and Route 705.

Mr. Moore called for comments against this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #00-429 of Bobby E. Moore to rezone property from A-1 to M-2 with Conditional Use Permit to allow Truck and Trailer Storage and Repairs and contractor facilities to include heavy equipment storage yard. Property is Tax Map Parcel No. 72 (A) Railroad Right of Way. Property is located on Route 741 between Route 24 and Dead End.

Steve T. Conner of Appomattox came forward representing Mr. Moore. Mr. Moore has asked Mr. Conner to try to help him on this issue. After talking to several people in Concord, Mr. Conner thinks the biggest problem is emotional reasons. Property was previously an old railroad switch yard and was always commercial or industrial use property. It has been a railroad yard or wood yard for 70 or 80 years. The main argument is that anyone who has built, moved or lives in the area knew that was an industrial type area when they came there. They chose to live there. The property is not good of anything but this type of use. Mr. Moore intends to use this property for storage of Truck/Trailer and heavy equipment. Mr. Moore wants to use the land for it's best purpose. Thank you.

Mr. Moore called for comments for this petition.

Hearing none, Mr. Moore called for comments against this petition.

Mr. Brian Selz, came forward, gave his address as Courthouse Square, Rustburg, Va. Mr. Selz stated he was there on behalf of some of the residents of Station Lane. Mr. Selz passed around a diagram, part of the tax map of the area in question, the green is used for residential, the blue for areas used for agriculture and the remaining area is in Campbell County. He pointed out a couple of things of a technical nature. The industrial use in this part of Concord has no relation to comprehensive plan and no logical planning reason to do this, just the opposite for the planning of Concord area. Anyone who knows this area knows that for the past 12 years or so this has been zoned agriculture and nothing has changed. If any change has taken place it has been more toward agriculture and less toward any thing else. The problem has not been just with the sandblasting, the problem has been with the parking of trailers, the dumping of chicken manure and various other things that the County Government does not allow. Mr. Moore came before the Board last summer. He had received a letter citing some of the zoning discrepancies to which Mr. Moore did not appeal, he let that decision stand. He came to the Board and asked the Board to help him declare that the use he wanted had been grand-fathered in. There has been a non-conforming use for the last several years. The purpose of non-conforming use is as the old time uses fade out, the property is zoned for new uses.

Mr. Moore asked if anyone else wished to speak against this petition.

Mr. Ruben Bryant, came forward, gave his address at 247 Station Lane, Concord, Va. Mr. Bryant presented to the Board petitions asking that the zoning not be changed. 100% of the adjoining property owners do not want this change, along with some absentee landowners. 30 years ago there was a wood yard there, a very small, low key operation, a very unintrusive operation you hardly knew was there. That changed in 1997 when the land was timbered, bulldozed and widened to accommodate the use by the owner. There is no justification, no rationale, no basis for this change. This change is self serving and incompatible to what is going on in the area. This activity belongs

in a business park. We are not anti-business. We know from testimony and other statements that a wood yard operated from 1977 to 1990. It has been ten years since any sanctioned, legitimate activity has taken place on this property. No need to change zoning. Nothing has changed since we were here last. Zoning exists to protect residences from the encroachment of industry. Please do not expose us to this activity, we do not want it.
(Signed petitions in Public Hearing Folder)

Mr. Moore asked if anyone else wished to speak against this petitions.

Mr. James W. Franklin came forward and stated he has been a resident of Concord for 68 years, other that the time he spent in the service, he has spent his life in the village of Concord. He is very dedicated to it and enjoys living there. Over the years, things change and changes are inevitable. Zoning is necessary to give some sense of direction between commercial and residential property. It has served Concord well, because with all the changes, it is still a quiet, peaceful place. Concord historically and sociologically deserves better than to become a tractor trailer parking lot/graveyard. We need to preserve those things that are of value to the community.

Mr. Moore asked if anyone else wished to speak.

Ms. Monica Martin of 177 Station Lane came forward. Mrs. Martin wished to appeal to your sympathy and hopefully heartfelt sentiments for historic landmarks. She and her husband moved the Concord Rail Station and reside in the station master's home. We have tried to preserve what is left of the Concord station. Hopefully, someday they will have enough expendable income to resurrect it. To zone M-1 across from this would be very detrimental to the preservation of this property.

Mr. Moore asked for other comments.

Mr. Thomas Booth wrote a letter that pretty much expresses his feelings on the subject. Places of business should keep their trucks clean. Some places you drive by have trucks that are just junk, piles of lumber, tires, etc. He would hate to see that type of operation in their neighborhood. Would like Mr. Moore to locate out of a residential district.

Mr. Moore asked if anyone else wished to speak.

Mr. Caldwell, Clerk to Planning Commission had several letters he wished to read to the Board as part of the public hearing Mr. Caldwell has two (2) letters against the petition and one (1) for in support of the petition.

James E. & Martha H. Cothran
P.O. Box 953
Concord, Va 24538-0953

April 16, 2000

Ms. Aileen T. Ferguson
County Administrator, Appomattox County
Appomattox, Va 24522

Reference: Re-Zoning Petition 00-424, Appomattox County

Dear Ms. Ferguson:

This letter is to affirm and document our disapproval to re-zone the reference property form A-1 to Mm-1.

This referenced property is located on a "dead-end" road and is bounded by residential and agricultural properties owned by long established community members. The road leading to the referenced property, Route 741 - Station Lane (narrow passage), is a narrow road by definition. This lane enters/exits across from the entrance/exit to Carson's Store which will create a traffic hazard.

The community members, who live in this area, consist of elderly residents and residents with young children. Increased usage of the surrounding roads, which have no sidewalks, by trucks and trailers will increase the likelihood of injury or death to these residents. These surrounding properties consist of neatly kept houses, with well kept lawns, interspersed with tree groves, pasture land and underbrush. This area is unmarred by the industrial blight requested by the referenced re-zoning petition.

Every area we have seen around Concord, where the reference trucks and trailers reside, are bleak areas. These areas have been leveled and stripped of all vegetation, with rusty truck parts and metal junk strewn everywhere, and red mud oozing from in and around the perimeter of these inadequately developed desolate areas.

Most properties which surround the referenced property have their houses facing this property. This eyesore would not be in the residents back yard, but rather in their front yard. No planning commission in the world could "in good conscience"condone that. If re-zoning is needed "... to Allow Truck and Trailer storage..."why have Trucks and Trailers been on this reference property for years and are still there today - is that NOT Truck and Trailer storage - before the fact?

W need your help to keep this area of neatly kept houses, with well kept laws, interspersed with tree groves, pasture land, and underbrush - the residential and agricultural area it has always been. We need your help to keep out of this area, land which has been leveled and stripped of all vegetation, with rusty truck parts and metal junk strewn everywhere, and red mud oozing from in and around the perimeter of an inadequately developed desolate area.

We hope you will decide NOT to re-zone the reference property from A-1 to M-1 because if you do, your decision will probably be viewed by other counties as "What NOT to do".

Your help to defeat this request will be greatly appreciated.

Signed: J. E. Cothran
cc: R. W. Bryant

April 14, 2000

Board of Supervisors
Appomattox County
Appomattox, Va 24522

Dear Sirs:

This letter is written in support of Mr. Bobby Moore's petition for rezoning a parcel of land in Concord, Va. In my opinion, the original zoning designation for this property as agricultural was incorrect and should now be rectified.

For over 50 years, this property has been the site of various commercial ventures. As a child, I remember going with my grandfather, Mr. Oscar Jamerson, to the wood yard located on this site where he purchased wood. Also during this period, Norfolk and Western served the railroad siding from which products were shipped by rail from the wood yard. In fact, the old rail bed and siding are still evident today. Beginning in the early 1960's , our trucking company hauled wood from Eddie Gunter's wood yard which operated on this site.

An analysis of the previous uses of this property will indicate long standing commercial use of this site - not agricultural use as indicated by the zoning designation. I urge you to give proper and careful consideration to Mr. Moore's petition.

Sincerely,

G,.H. Jamerson, Jr.
President, Jamerson Bros. Trucking Co. Inc.

4-11-00

Ms. Aileen T. Ferguson
County Administrator, Appomattox County
P.O. Box 863
Appomattox, Va 24522

Re: Re-zoning Petition - 00-424, Appomattox Cty.

Dear Ms. Ferguson,

I wish, as a property owner in Appomattox County, to go on record as stating my objections to the above referenced petition, which seeks to change zoning of property from A-1 to M-1 with conditions to allow industrial activity. Again, I object to this zone change.

Yours truly,
signed: Betty Steele

cc: R. W. Bryant
(copies of letters in Public Hearing Folder)

Mr. Moore then asked Mr. Caldwell to read two (2) other letters into the record.

April 12, 2000

Appomattox County
Board of Supervisors
Appomattox, VA 24522

Subj: Petition to Re-Zone Property - B. Moore

Gentlemen:
Recently I have become aware of a request to re-zone property located adjacent to Campbell County, in the Concord area, owned by Mr. Bobby Moore. This property is located between the old railroad line and State Route 609.

I would like to explain how the original zoning map was developed. We started with a base map that had been developed by the Central Virginia Planning District Commission and the Appomattox County Planning Commission over a period of several years. A team composed of Mr. David S. Nash, Board of Supervisors member, Mr. Bill Hibbert, CVPDC Executive Director, and myself, drove over the county and examined the most intensively developed land, i.e., sub-divisions, large commercial property that had previously been identified or that we were aware of, etc., to be sure that they were represented correctly on the proposed zoning map. Due to time constraints, we did not drive over every road and examine every property in the County. I do not remember if we drove down St. Rt. 609 past this particular property or not.

The newly revised zoning map was examined by the Appomattox County Planning Commission and the Board of Supervisors and approved for Public Hearing. Prior to the Public Hearing it was hung in the Office of the County Administrator and examined by many residents of the County. Any protests or concerns were noted and presented to both bodies for possible correction. At the Public Hearing, held prior to adoption of the Zoning Ordinance, many comments were heard on the map. These were duly noted and acted upon by the legal bodies cited above.

It was generally accepted that the map adopted was the "best possible", given the resources available, i.e., personnel and money, and that even though it was not perfect, the Code of Virginia and the new Zoning Ordinance both contained the mechanics for change. It was anticipated that properties would be grand-fathered in without needing to be rezoned and others would be rezoned to eliminate possible problems in the future as they were sold and developed.

In retrospect, it appears that this property should have been zoned M-1 and possibly grand-fathered in since it had always had some form of commercial and/or manufacturing use. This was first by the railroad and then by a private wood yard and by Mr. Moore since his acquisition of the property.

If I may be of further assistance, please advise.

Sincerely,
Dennis E. Gregg
89 Sleigh Ride Circle
Concord, Va 24538
352-5522

April 13, 2000
Appomattox County
Board of Supervisors
Appomattox, Va 24522

Subj: Petition to Re-Zone Property - B. Moore
Gentlemen:
When zoning was adopted, I, David S. Nash was one of the three Board of Supervisor members. The property of Mr. Bobby Moore was overlooked. The property should have been zoned M-1. As long as I can remember that property has been Commercial Property.

If I can be of any further assistance, please advise.

Sincerely,
David S. Nash
P O. Box 130
Appomattox, VA 24522

At 7:45 P.M. Mr. Moore declared the public hearing closed.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a Public Hearing on April 20, 2000 at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

Present: Mr. Russell H. Moore, Chairman - Piney Mountain District
Mr. Jerry G. Kendrick - Appomattox River District
Mr. Frank H. Carwile - Wreck Island District

Mr. Jesse Hancock - Falling River District
Mr. Samuel Carter - Courthouse District

Also Present: Ms. Aileen T. Ferguson, County Administrator

At 6:00 P.M. Mr. Moore called the hearing to order and stated the purpose of the meeting was to hear comments from concerned citizens regarding the proposed Real Property Tax Increase as advertised:

> The County of Appomattox proposes to increase property tax levies.
> Effective Rate Increase: The County of Appomattox Proposes to adopt a tax rate of $.80 per $100 assessed value. The difference between the current rate and the proposed rate would be $.25 per $100, or 45 percent. This difference will be known as the "effective tax rate increase".

Mr. Moore stated there were two (2) people signed up to address the Board. Anyone wishing to address the Board should come to the microphone so they could be hear by everyone.

Mr. Moore then called Mr. Lannis Selz to come forward.

Mr. Selz came forward and gave his address as Route 1, Spout Spring, VA - Mr. Selz is fully appreciative of the job the Board has to do tonight. There is no simple solution to this issue. He has four things he can see that could happen : 1) Tax rate needs to provide funds for the things that have to be done, such as the services mandated by the Government, Would like to see an estimated budget and proposed revenue based on something other than totally real estate taxes; 2) a simple increase of $.25 cents on real estate; 3) County could default on it's obligations and lose everything; 4) worst thing would be for a majority of the Board to vote for what they believe to be the right tax increase, and the others to vote No with no solution as to how the problem could be solved. He does not know what the solution is but if not raising the taxes. Board has his sympathy and prayers.

Mr. Moore next called Mr. Jesse Rosser.

Mr. Rosser came forward and gave his address as Appomattox, VA. Mr. Rosser read a prepared statement in which he stated he was opposed to the $.80 cents rate. New people would avoid Appomattox like the plague and present citizens could face the possibility of losing their property and homes, especially those on fixed incomes. Pensions do not increase, CD rates are beginning to climb but have been in depression since the Jimmy Carter years. The County has paid an outside firm to do a financial statement, which led us to believe we had a operating surplus, which turned out not to be true. He talked about the County hiring a financial manager at a salary rate of $90,000, which was in essence closer to $35,000. We are in serious trouble, like the little boy who said "Hey, we're in deep yogurt", and there are more things hanging out there, the new school, the Courthouse, the Landfill cell, the Industrial Park, etc. The lesson we must learn here and now is, we cannot have everything we want right now, bite the bullet, face up to the reality that some things must be delayed. We must plan for the future. We need to put a freeze on hiring, salaries at their current rate, and the use of County owned vehicles with the exception of the Sheriff's Office. Students who drive to school could be charged for a parking decal. Let this Board make the decisions that are in the best

of the citizens of the County. Mr. Rosser thanked the Board for their time and attentiveness and the privilege to express his thoughts.

Mr. Moore thanked Mr. Rosser, and asked if anyone else wished to speak.

Ms. Joy Purcell came forward and gave her address as Route 1, Spout Spring. Ms. Purcell complimented the Board on what they were doing and asked that they not cut the budget on the teachers and the school. Ms. Purcell stated that you get what you pay for.

Mr. Moore asked for others who wished to speak.

Earl Ryan Hall came forward and stated he had been a citizen of this County of 68 years. He is a voter and a taxpayer. When he got his raise this year from Social Security, which he basically lives on, it amounted to $39.00 and his wife got a $15.00 raise. In previous years, when he worked and taxes were raised, he worked a few extra hours and was able to pay his taxes. Now he is on a fix income and due to a disability, he cannot even supplement his income. It seems our Board has gone overboard in spending money because they have taken on many projects, one after another. Mr. Rosser named most of them. I have never been able to do one project after another that I wanted to do while I was working because I did not have the income, but then I was spending my money, I was not spending someone else's money. I wonder if you have taken into consideration that there are a lot of people in this County like I am, who live on a fixed income. You can have big schools, fancy courthouses, an industrial park in addition to the necessary things that are done, like the landfill work. You can have these things but you do not need to have them all at one time. God did not create the world in one day, he created it in six and then he rested. It seems to me that you people need to take a rest and look at where the money is coming from before you spend it, not like this time where you have spent it first and then go back and say we have got to raise taxes, although you have already said you were not going to do so. Everyone knows the old cliche about death and taxes, but he would hate to be taxed to death.

Mr. Moore thanked Mr. Hall and asked if anyone else wished to speak.

Hearing none, he declared the public hearing closed at 6:22 p.m.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a recessed meeting on April 20, 2000 at 6:35 p.m. following the public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Present: Mr. Russell H. Moore, Chairman - Piney Mountain District
Mr. Jerry Kendrick - Appomattox River District
Mr. Jesse Hancock - Falling River District
Mr. Frank H. Carwile - Wreck Island District

Mr. Samuel Carter - Courthouse District

Also Present: Ms. Aileen T. Ferguson, County Administrator

Mr. Moore called the recessed meeting to order.

Mr. Moore asked Mr. Kendrick for the results of a meeting he had on Wednesday, April 18th with Mr. Monte Mays, Commissioner of Revenue, and County Administrator, Ms. Ferguson, regarding the interviews with the firms who had submitted proposals for the Appomattox County Re-Assessment FY2002. Received bids from three firms:

Wampler-Eanes Appraisal Group, Ltd. - $118,170
Tri County Appraisals, Inc. - $120,684
Pearson's Appraisal Service, Inc. - $129,500.

Mr. Kendrick report that after interviewing the bidders, the firm of Tri County Appraisals was selected primarily because they seemed to have an extensive knowledge of how to do the assessment and their time frame met ours. We inquired about computerized assessments mainly to get an understanding of what that was and what kind of costs were associated. He seemed to be very knowledgeable about this, although he did not recommend it. He was good at putting a person at ease, which I think is an important characteristic since he will have to meet with the Board of Assessors, etc., and with the public, once they make the assessment, as the inquiries come in about each and every landowners value on real estate. We selected him primarily, not because of low cost, but because we felt this firm was really the best of the three firms. Tri County upon request from Mrs. Ferguson adjusted their initial bid. If the County requires a performance bond, the cost will be $5,000 more. Some of the counties in Virginia do not require a performance bond, with no bond, the cost will be approximately $12.00 per parcel.

Discussion followed.

Mr. Kendrick made a motion, seconded by Mr. Carwile that the Board hire Tri County Appraisals as the assessors for the County Reassessment for FY2002. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter. Aye.

Mr. Kendrick made a motion, seconded by Mr. Carwile to recess until Tuesday, April 25th at 6:00 P.M. for a budget work session. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a recessed meeting on Tuesday, April 25, 2000 at 6:00 p.m. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va. 24522.

Present: Mr. Russell H. Moore, Chairman - Piney Mountain District
Mr. Jerry Kendrick - Appomattox River District
Mr. Jesse Hancock - Falling River District
Mr. Frank H. Carwile - Wreck Island District
Mr. Samuel Carter - Courthouse District

Also Present: Ms. Aileen T. Ferguson, County Administrator

Mr. Moore called the meeting to order at 6:00 P.M.

Mr. Samuel Carter gave the invocation.

Mr. Chris St. John requested to speak to the Board. Mr. St. John stated "I need to say my piece. I have been outraged by the decisions and proposals of this Board." He feels the Board should vote the will of the people. The tax hike is not necessary, not a 45% increase. He realizes the Board has been bombarded by people with what needs to be done. Mr. St. John wants to further education. Some things can be put on hold. The biggest problem with the tax increase is a result of poor planning. Decisions are being made by the elite few money people in the County. He wished the Board would vote the will of all the people. He voted for one member, who has already lied to him. Mr. St. John asks the Board to rethink their ideas.

Mr. St. John thanked the board of giving him the opportunity to speak to them.

Mr. Moore thanked and excused Mr. St. John.

Mr. Moore stated the purpose of this meeting was to discuss the budget

Mrs. Ferguson presented the Board members with a Supplemental Appropriation handout for information and review.

Discussion followed on the School Budget.
The State Government more or less mandates what the County has to supply to the School Budget.

Discussion on taxes, expenditures and revenues.

Mr. Moore questioned 3202 - Fire Department.

Mrs. Ferguson informed him it was the payment on the Fire Truck.

Mrs. Ferguson asked for clarification on Revenue changes to see if the Board was in line with these issues.

Department 3401 - Building & Housing
Sub-Division Fees - increased $3156 to $6000
(Based on charging $10 per zoning application where now there is no charge.)
The Board wanted the Building Department to take care of its self. Did not do this, but did double all building permit fee and by doing so, it added some $25,000, bring Building Permit Fees to $50000 of anticipated revenue dollars. This will bring this department to almost full funding, but will not fund the Planner. This will bring in line with what surrounding counties are charging.

Mrs. Ferguson has talked with Sheriff Staples about generating more revenue through his department. There are not a lot of things to change.
Parking Violations $5.00 can be raised to $25.00 generating $6,000.
Total from $10,000 to $16,000.
(The Judge can throw these out, if he does not agree)
Discussion continued on pros and cons of County and State Warrants.

Department 4204 -Landfill Users Fees:
(these fees are pretty much in line with that of surrounding counties).
We do not charge household users. There is no suggestion to change this.
We do charge a $50.00 a Ton fee once someone brings in over 12 cubic yards. Mrs. Ferguson suggests eliminating this 12 cubit yard break and charge $50.00 per ton for everything that come across the scales, (excluding household users) generating an additional $6,000 roughly.

Mrs. Ferguson suggest that if the School Board can get their figures in order by Thursday night, she would like to make changes and rerun budget and meet again on Thursday to tie everything down and schedule a budget public hearing for maybe May 8th but be prepared to set the tax rate by May 1st without extending the tax due deadline.

At 8:02 p.m. Mr. Carter made a motion, seconded by Mr. Kendrick to recess until 6:00 p.m. on April 27, 2000. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

A recessed meeting and budget work session of the Appomattox County Board of Supervisors was held on April 27, 2000 at 6:00 P.M. in the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Aileen T. Ferguson, County Administrator

Mr. Moore called the meeting to order and asked Mr. Hancock to give the invocation.

Mr. Moore, as Chairman, asked who would like to start the discussion.

Mr. Kendrick passed out a document for each member to review and explained what he had done with the suggestions from the previous meeting concerning building permits, parking fines and landfill charges for commercial users which amounted to approximately $39,000 in additional revenue. Mr. Kendrick then explained the figures he had come up with on this scenario, by fully funding the school budget and increasing the tax rate by $.25.

Mrs. Ferguson explained the new figures from the schools. This is not an official budget work sheet as it was not adopted by the School Board.

Mr. Carter explained his position. From phone calls he has received everyone is in favor of fully funding the school budget. He has talked with Dr. Krug, Mrs. Jamerson and Mr. Perrow and they answered a lot of his questions. There is a lot to digest and make a conscientious decision. If the industrial park is to bring in a tax base, a good school system will be a deciding factor in businesses locating in Appomattox. If a vote were taken tonight, he would be in favor of fully funding the school budget.

Mr. Carwile stated that the prospects of the industrial park are to far down the road to come to the rescue at this time. Regarding the quality of education in this county, out of 133 counties, we rank 115, spending approximately $5,522 per pupil. As he sees it, we are equal in our level of education to surrounding counties in the Commonwealth. He would like to see better results for the dollar spent. The dollar is not the answer, the building is not the answer, the bottom line is the teachers. He supports education in any way we can, as affordable by the taxpayers who have to pay for it. Mr. Kendrick made some good points, but he does not feel the taxpayers can afford this school budget at this time.

Mr. Kendrick addressed some of Mr. Carwile's questions.

Mr. Moore asked Mr. Hancock if he had any comments.

Mr. Hancock stated that he had received approximately 25 telephone calls in the past two days, which he appreciated. He hates to make a hasty decision. He likes to have all his information up front and at this time he is in favor of funding the school budget, but he has a problem with the courthouse and the new school. He has a problem with the increase of $.25 in tax rate. He would like to see some cosmetics done to the Courthouse, or put it off . There is no way we can do the courthouse and school at the same time. We need to do one project and let the revenue build up and then do the others.

There was a general discussion and clarification on previously made remarks.

Mr. Moore preceeded to make his comments. He agrees with a lot that has been said tonight. He would like to correct some statements about what the previous boards had done wrong, and that they had failed. He went back to the last assessment. They had tunnel vision and had to take money out of reserves and should have raised taxes and he feels the people would have accepted it. Everything that was done, was done for the benefit of the taxpayer. We are not here to create a lot of funds to be used in the future and the taxpayers do not want us to accumulate a lot of extra funds. We need to get back in the BLACK, we cannot continue to stay in the RED. He does not like to increase taxes but we are going to have to do it. After years of no tax increase, we are going to have to get it all at one time. Everyone is concerned. We cannot separate those who can afford to pay taxes from those who cannot. We need this $.25 tax increase.

Mr. Moore asked for additional comments.

Mr. Kendrick made a motion, seconded by Mr. Carter to accept the school budget at $15,045,794. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carter, aye; and Mr. Carwile, nay.

Discussion for setting the date for the public hearing for the budget.

A Public Hearing for the Budget was set for May 11, 2000 at 6:00 p.m. at the Appomattox County Courthouse.

Mr. Kendrick made a motion, seconded by Mr. Carter to set the tax rate for FY2001 at $.80 per $100.

Mr. Moore stated a motion had been made and seconded. Any discussion.

Mr. Carwile stated he could not support a tax rate increase of $.25 on the taxpayer of this County. He is sorry. He would be more in favor of a $.10 increase in the tax rate.

Mr. Hancock stated he could not support the $.25 tax rate increase.

Mr. Moore stated he did not want to support an increase in taxes but he did not see any other way to get out of the red and into the black.

Mr. Carter stated he did not want to increase taxes but in order for the County to continue to operate

without a deficit, we do not have any other choice.

Mr. Moore then called for a vote on the aforementioned motion.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, nay; Mr. Carwile, nay; and Mr. Carter, aye.

Discussion continued on Courthouse Project.

Mr. Kendrick sees a deficit with going forward with the new courthouse. We don't have the money to do this project.

Mr. Kendrick made a motion, seconded by Mr. Carter to stop all work towards the new courthouse at this time.

Mr. Moore called for discussion.

After discussion, Mr. Kendrick withdrew his motion to stop all work towards the new courthouse and Mr. Carter withdrew his second.

At 7:23 p.m. Mr. Kendrick made a motion, seconded by Mr. Carwile to adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held its regular meeting on May 1, 2000 at 6:00 p.m. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Aileen T. Ferguson - County Administrator

At 6:00 p.m. Mr. Moore called the meeting to order.

Mr. Kendrick gave the invocation.

Mr. Moore called for approval of the bills for May 1, 2000. Mr. Carter made a motion seconded by Mr. Hancock to approve the bills for May 1,2000. VOTE; Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore suggested that the Board hold its Executive Sessions following the appearances so that those persons appearing before the Board would not have to wait for the Board's closed session.

Mr. Moore then called Ms. Sandra Lindsay, VDOT Resident Engineer to update the board on VDOT activities and address any concerns the Board may have.

Ms. Lindsay stated she did not have anything to report and the Board did not have any questions for Ms. Lindsay.

Mr. Moore excused Ms. Lindsay and called for Supervisor Concerns.

Mr. Carwile stated he would like to address Mr. Kendrick's analysis from last Thursday's meeting. He has not had the time needed to understand Mr. Kendrick's computer analysis to whether it is the best for the County, the school, the taxpayers and everyone involved. He still stands firm that his proposal, if he looks at it from the taxpayers point of view, will be a better plan for the County and the school would still get what they wanted. He will study this further, and address this at a later date.

Mr. Carwile then addressed the Courthouse issue. In the past fifteen minutes he has been informed about an article in the newspaper in reference to the Courthouse. If he understood this article, he is afraid that the public will read into this something that was not the intent, that this Board has backed off its decision about a Courthouse. This was not his understanding from last week at all. He trusts that the public will get a true reading of what the Board intended to do.

Mr. Carter stated that the Board needed to extend the tax deadline until June 19, 2000 in order for the Commissioner of Revenue and Treasurer to get the necessary paper work completed.

Mr. Carter made a motion, seconded by Mr. Carwile to extend the tax deadline until June 19, 2000, in lieu of the present June 5, 2000 deadline. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter suggested that the Board of Supervisors have a work session on May 8, 2000 at 6:00 p.m. to give an overview of the Budget. Mr. Moore agreed. Mr. Carwile stated he would not be in town but encouraged everyone else to go ahead with this work session.

Mr. Kendrick stated that the document he presented last week was meant to try to show where the Board was at and not to make anyone look bad. The intent was to show what happens when you take money out and get penalized by the State. He explained his position.

Mr. Kendrick also stated he had been on the Board for only 4 months and was concerned about a 10 year capital improvement plan. If we have one he would like someone to come before the Board and explain it and if we do not have one, we need one. He would also like to have the Treasurer, the Commissioner of Revenue and the County Administrator come to the meetings and give a monthly report on the status of activities in their departments. Prior to going into any project, we should have the right kind of support in what we are doing and where we are headed. He recommends that the

others report periodically and explain how things are going and what they see as issues. We need to investigate all avenues and lessen the burden on real estate owners.

Mr. Carwile supports Mr. Kendricks suggestions.

Hearing no other Supervisor Concerns, Mr. Moore stated the Board needed to hold a closed session in accordance with Section 2.1-344(A)1 - personnel matters and 2.1-344(A)3 - Real Estate.

At 6:20 p.m. Mr. Carter made a motion seconded by Mr. Carwile to enter into closed session to discuss personnel and real estate matters. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 7:14 p.m., seconded by Mr. Carwile it was resolved that the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter, seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act, and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended, requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore stated there was no action to be taken as a result of executive session.

Mr. J. C. Rogers of the Sons of Confederate Veterans has requested permission to hold a dedication ceremony and unveiling of the new statue at the Courthouse on May 28, 2000 at 2:00 p.m. The Sons of Confederate Veterans would also like permission to fly the Confederate Flag on this occasion.

Mr. Carwile made a motion seconded by Mr. Carter to grant permission for the S.C.V. to hold its dedication of the new statue on May 28, 2000 and grant permission to fly the Confederate Flag for this dedication. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Town of Appomattox is requesting permission to use the Courthouse Square and the Courtland Field on June 3rd and 4th for their 75th Anniversary Celebration.

Mr. Carter made a motion seconded by Mr. Kendrick to allow the Town of Appomattox to use the Courthouse Square and Courtland Field for their 75th Anniversary Celebration on June 3rd and 4th, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

The Board then considered the following Supplemental Appropriation Requests:
Sheriff's Department is requesting $308.15 be added to budget for insurance check received.

Mr. Carwile made a motion seconded by Mr, Carter to add $308.15 to the Sheriff's budget for insurance check received. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Comprehensive Services Act is requesting a supplemental appropriation of $87,279.00 for a supplemental allocation received. The County's share is $23,033.00 These are mandated services.

Mr. Hancock made a motion seconded by Mr. Carter to appropriate $87,279.00 to the Comprehensive Services Act for supplemental allocation received. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Jail is requesting a supplemental appropriation of $30.00 to the jail budget for reimbursement received from a work release inmate.

Mr. Carwile made a motion seconded by Mr. Carter to appropriate $30.00 to the jail budget to cover a reimbursement from a work release inmate. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The School Board is requesting a supplemental appropriation of $20,000.00 to pay VMDO for services rendered in connection with the new elementary school.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $20,000.00 to the School Board for payment to VMDO for services rendered. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The School Board is requesting a supplemental appropriation of $47,257.74 for additional funds received that do not require a local match.

Mr. Hancock made a motion seconded by Mr. Kendrick to appropriate $47,257.74 to the School Board for additional funds received. VOTE: Mr. Moore, aye; Mr. Kendrick; aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Sheriff's Department is requesting an appropriation of $944.43 from the I.D.A. Bond Account to pay for architects fees associated with the new addition.

Mr. Kendrick made a motion, seconded by Mr. Carter to appropriate $944.43 from the I.D.A. Bond Account to pay architects fees for the new addition to the Sheriff's Office. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Brickhill is requesting an appropriation of $65.82 from the Law Library Fund to cover bills for the month of May 2000.

Mr. Carwile made a motion seconded by Mr. Carter to appropriate $65.82 from the Law Library Fund to cover bills for the month of May 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter and Mr. Carwile expressed appreciation to the Landfill staff for a job well done.

Additional Items for Consideration:
Supplemental Appropriation in the amount of $31,992.00 from I.D.A. Bond Account to pay next payment on the Sheriff's addition.

Mr. Kendrick made a motion seconded by Mr. Carwile to appropriate $31,992.00 from I.D.A. Bond Account to make next payment on new addition to Sheriff's office. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Virginia Juvenile Community Crime Control Act is requesting a resolution for your approval to join with other localities on a combined plan for VJCCCA grant. The local maintenance effort will be $332.00. There has been no maintenance effort in the past.

Mr. Kendrick made a motion seconded by Mr. Carter to approve the following resolution:

VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT

BE IT RESOLVED that the Appomattox County Board of Supervisors will participate in the Virginia Juvenile Community Crime Control Act and accept funds appropriate for the purpose set forth in this Act; and

BE IT FURTHER RESOLVED that Appomattox County intends to combine with the other governing bodies listed below and that Charlotte County will act as fiscal agent for these localities. Other localities with whom Appomattox County will combine include:

Buckingham
Charlotte
Cumberland
Lunenburg
Prince Edward

BE IT FURTHER RESOLVED that Robert C. Bradner, Director of the 10th District Juvenile and Domestic Relations District Court Service Unit, is hereby authorized to execute the plan

on behalf of the County of Appomattox.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Planning Commission recommendations:

00-420 - Timothy and Jeanette Moore - Conditional Use Permit to allow two family dwelling in A-1 zoned district. Property is part of Tax Map #36-A-22B and is located on Route 653 between Route 608 and Route 721.

00-421 - Clayton Bryant Sr. - Rezone Property from A-1 to B-1. Property is part of Tax Map #60-A-53 and 54 and is located on Route 460 between Route 609 and Route 608.

00-422 - Willie A. Coleman - Rezone property from B-1 to M-1 with Conditional Use Permit to allow Truck and Heavy Machinery Repairs. Property is part of Tax Map #60A-53 (Concord Business Park, Lot 10) and is located on Route 460 between Route 609 and Route 608.

00-423 - John and Laura Roberts - Conditional Use Permit to allow additional dwelling on single lot. Property is Tax Map #78–1-2 and is zoned A-1. Property is located on Route 632 between Route 634 and Route 705.

Mr. Carter made a motion seconded by Mr. Kendrick to accept the Planning Commission's recommendation for approval of Petitions #00-420, #00-421, #00-422 and #00-423. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Regional Renaissance is holding a workshop for regional planning on May 24th and 25th. The cost will be $20.00 per person. They have reserved 10 spaces per locality. Is the Board willing to pay for this workshop and is anyone interested in attending? The Board instructed Mrs. Ferguson to contact members of the steering committee to see if any are interested in attending.

Mr. Kendrick made a motion seconded by Mr. Carwile to pay expenses for anyone on the steering committee who is interested in attending the Regional Renaissance workshop on May 24th and 25th. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore asked the Board Members to think about proposals for VACo's 2001 Legislative Program. Mrs. Ferguson needs these prior to June 16, 2000.

Being no further business, Mr. Carter made a motion seconded by Mr. Kendrick to recess until May 8, 2000 at 6:00 P.M. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On May 8, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors held a Budget Work Shop at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va. The purpose of the meeting was to discuss the upcoming FY2001 Budget.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Samuel Carter - Courthouse District

Absent: Frank H. Carwile - Wreck Island District
Jesse Hancock - Falling River District

Also Present: Aileen T. Ferguson - County Administrator

Mrs. Ferguson presented each Board Member with a printout of the increases in the FY2001 Budget broken down by department. She also explained each increase and answered any questions that the Board had regarding this document.

Lengthy discussion on the following:
Department 1210 - Reassessment - $92,928.00:
- Assessor
- Telephone
- Clerical
- Office Supplies

Department 2201 - Commonwealth Attorney:
- Equipment $15,378.00

Department 4204 - Landfill Disposal:
- Professional Services - $162,500.00

Department 1209 - Commissioner of Revenue
- Do other counties offer tax preparation?

Mrs. Ferguson informed the Board that they were invited to attend a reception for Lacy Webb of the Social Services Board on May 17th, 2000 at 9:00 P.M. at the Office of Social Services.

Mrs. Ferguson asked for permission to advertise for a Landfill Supervisor due to Tina Carter's resignation. She also asked for the Board's decision on advertising for the position of Building Inspector/Planner.

There was some discussion regarding computerized assessment and Machinery/Tool & Merchants Capital taxes. Do annually? How much are we going to generate? Proration - Can it be done with a computerized program.

At 7:00 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to Adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a Public Hearing at 6:00 P.M.on May 11, 2000 at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA to consider the proposed budget for FY2001:

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District

Absent: Frank H. Carwile - Wreck Island District

Also Present: Aileen T. Ferguson - County Administrator

At 6:00 P.M. Mr. Moore called the meeting to order and stated the purpose of the meeting was to receive comments on the Proposed FY2001 Budget.

Mr. Moore stated that three (3) citizens had requested to address the Board but if anyone else present wished to speak they would be allowed to do so. Those wishing to address the Board should come to the front of the room and speak into the microphone as to be heard by all present.

Mr. Moore called Jesse M. Rosser.

Mr. Rosser stated he resided on Oakleigh Avenue, Appomattox, Va. Mr. Rosser began by asking why the Board met at 6:00 p.m? Some citizens have expressed to him their desire to hold meetings at 7:00 P.M.. It is his civic duty to ask this question. Mr. Rosser then read the following dissertation. "It was a most satisfactory surprise to read the article in the News & Advance of April 26, 2000. At least three supervisors have come to realize that Appomattox County cannot have everything that is wanted immediately. Wait a minute. This is my letter to the Editor that I did not send! What gear are we in now? Forward or reverse? Accept the budget? No, wait, hold the line on spending. Wait again, accept the budget. Renovate the old courthouse. No, build a new courthouse. No, renovate the old Courthouse. Build a new school on the Bryant Land. Wait, build the school on the Courtland Land. Are we going to build a school?"

"First, I would like to recognize that the Board of Supervisors does not develop the school budget. The School Board, no doubt with help, has this responsibility (this may or may not come as a surprise to the citizens of Appomattox County). But I do recognize that you, the Board of Supervisors, has the authority to accept or reject the budget as submitted. Regarding the proposed school budget of $16,089,614.00, let me make a few observations. Perhaps someone in Appomattox County should take some lessons from Lynchburg regarding the development of a budget. Based on a population of 65,000 (1998 figures from Lynchburg office) and seventeen schools to support,

Lynchburg budgets 30 million dollars - source: The News and Daily Advance. This equals to $1,765,000 per school. Appomattox, on the other hand has a population of 12,777 (1995 figures from Lynchburg office) and four schools to support budgets $16,089,614.00 - source: The Times Virginian. This equates to $4,022,000.00 per school. It doesn't take a rocket scientist to see the difference. In comparison, the Appomattox budget, with 12,777 citizens, exceeds the Lynchburg budget, with 65,000 citizens, by over 50%! I would surely be interested in the reason or reasons for this substantial difference."

"Going over the budget I am reminded of what Senator Wilbur Mills once said and I quote: a million dollars here, and a million dollars there, sooner or later you are talking about real money. unquote. Well, the same applies to Appomattox. A thousand dollars here, a thousand dollars there, sooner or later you are talking about real money."

"Again, what can we do to hold the line on spending? Don't hire a financial advisor and secretary for $90,000. Give our County Administrator a qualified employee for perhaps one-half this cost, since the Assistant Administrator has his hands full with the IDA. Oh yes, listen to her council and take appropriate action. It is important to listen and act. Or better still, what this County needs is one or two retired individuals, who have no obligations and are looking for a productive way to spend their time, to sit down, take the entire budget and document where every nickel is to be spent, then present their findings to the Board of Supervisors for their consideration. They, the Board, will then use the line item veto and finalize the budget for the year."

"Stop furnishing cars for all county personnel, except the Sheriff's Department. Put them on an expense account and let them turn in mileage for authorized county use. For any expense, no matter how large or small, require a receipt showing the date, item, cost and facility for which the money was spent."

"This only scratches the surface. Note that I have been of the opinion that the County is going bankrupt. I am wrong! The citizens are going bankrupt with the way money is being spent. If anyone wants money, they go the County Board of Supervisors or to the Spout Spring Ruritan Club!"

"At Board of Supervisors meetings, special interests will band together and by innuendoes, veiled suggestions or other means, intimidate to obtain their agenda. As I have stated before you need to dig your heels in and say "NO"!

"You need to require a detailed explanation for budget expenditures; do not accept expenditures under a catch all title. I give you several examples: Compensation of Custodial Personnel $330,359.00; Compensation of Instructional Aides, $371,724.00; other Administrative costs, $11,500.00 and Purchased Services $100,000.00."

"I think I know how Mr. Frank Carwile feels - a voice in the wilderness. I cannot help but believe he has the best interest of the County and the citizens at heart. He does indeed have to be a dedicated public servant to take the abuse that is thrust upon him. I honestly believe that in the end his actions will be justified and he will be proven to be right."

"In closing I leave you with this thought. The deadliest sin on earth is silence. To some, silence means approval, to others, that's OK or that's normal. Still to others silence means, I might as well be quiet because of possible unpleasant ramifications."

"Each time you are silent you are giving away your freedom to express disagreement with the status quo. Silence is not always golden."

Mr. Moore thanked Mr. Rosser and called Mr. John Gascoyne.

Mr. Gascoyne came forward and stated he lived in the Piney Mountain District of Appomattox County. "He and his wife are registered voters. We have lived here for 14 years and have raised five (5) children. I agree with most everything Mr. Rosser has said. I have tried to think of what to say to you gentlemen to convince you that you are crazy. I already pay about 20 different taxes which are all visible, not counting the recent electric company tax. I would like the Board to understand where I am coming from psychologically, I am scared to death and feel like I am fighting for my life. I have lived many places and had many occupations. I am here because I wanted a change and this place seemed to satisfy my needs. My wife would like to move because she can't take this anymore. I am all for the will of the people. If the will of the people is that the taxes have to be increased then I am all for it. I don't think the Board represents the will of the people. This is primarily because of the voter district arrangement. Mr. Carter, you have been quoted as saying that you have a vision about the industrial park. I don't know if that represents what the constituency thinks about it, but I do know that it has not been presented to the voters of Appomattox as an option to go for it or not go for it. So I say, I think that your will is, I do not have a word for it, but it is nuts, it is crazy because you are suppose to represent the people of the County. When we have a public hearing like this, that is my next question, before I go any further with what I would like to say to you, I want to ask you a question. I am a little confused and I need clearing on this matter. The paper says that you all have approved one aspect of the budget that will bring in revenue, and that is real estate taxes. If you have approved this, then why are we having this meeting? Does that mean that this cannot be changed if any citizen or citizens say anything that impresses sufficiently enough to cause you to change? Will you make a change if anyone says something here that causes you to feel a change is needed? This is my question to you. Does silence mean No, that you will not make any changes. If you have already made up your minds and are not going to make any changes, no one needs to be here. I guess that is my answer."

Mr. Moore next called Susan Book.

Mrs. Book came forward and stated her address as 110 Wildwood Road, Appomattox, Va.
"I am the mother of three (3) teenage boys. I keep thinking that the only thing that is for sure is death and taxes. I have been following everything that is going on in the County. The thing I want to talk to you about is when I got my paper today, I started reading about a comment that was made that over the years the citizens have benefitted by low taxes and now it is time to pay. I really don't agree with Mr. Moore's comment. A lot of us here in the County and the community, and I love my community, the schools, my neighbors and this is the place I want to be, a lot of us live from hand to mouth, a lot of us are on Social Security and most of us are on a limited income. Most of us own our own homes which we are very proud of and are landowners also. There are farmers here in the

County which is all they have ever had. I can understand that times are changing and I understand that taxes have to go up. I apologize for being so nervous because I do not like to do this. What I would like to share tonight is the taxes of real estate and landowners here in the County. I have a clipping from the Lynchburg News about Delegate Preston Bryant who brought down the real estate taxes so the citizens would not have to bear the burden of the Lynchburg schools. He bought it down 10 cents. He added one cents to the food tax. Everyone wants their schools to be in top-notch shape and if I could buy every child something that would help them to read and pass the SOL's, I certainly would do it and I believe everyone would share the burden. One other thing before I leave, about the budget for the future. I wanted to comment on the Financial Adviser that I read in the paper about, this may do a lot of good but what I want to know is if we need this, why do we have a Treasurer, County Administrator, Assistant County Administrator, and why do we have a Commissioner of Revenue. I want what is best for my town and my community. I love Appomattox County and would not want to raise my family any place else".

Mr. Moore thanked Mrs. Book and called for anyone who wished to speak to come forward.

Mr. Evans Thomas came forward and gave his address as P. O. Box 673, Appomattox, VA and lives on Route 24. "Usually when a lawyer talks, he talks longer than anyone else. I promise not to do that tonight. Everyone else has said a great deal about the budget situation. I want to address one part of the budget which is that on January 1st of this year, I was made Commissioner of Accounts for the County and upon examining the budget I found the Commissioner of Accounts budget had money in it. I immediately sent a letter to the Chairman of the Board requesting that this money be stricken from the budget because the County has too many other problems to worry about. I take it upon myself to be of service to the judge, service to the County and service to the Courts, and I get my money out of scheduled fees from the Commonwealth of Virginia, and I don't feel that the taxpayers of Appomattox County should have to pay for that work when other offices need to be increased. You can take this money back. I just wanted you to know that".

Mr. Moore thanked Mr. Thomas and asked if anyone else wished to speak.

Mr. Paul Michael Raymond came forward and stated he was pastor of the Reformed Church of Central Virginia and had moved here from New York two (2) years ago with his family. He moved here after a careful search and study of the demographics of Appomattox County. "I have to concur with those who have spoken and as of April 17th you have a letter from me concerning the problem of taxation. After this gentleman here spoke, he moved me to come down and speak because to remain silent when you should speak in protest, make us cowards and I would never want to leave to my children an inheritance that their Father was a coward. Before I continue, gentlemen, I have sat in on a few boards and my heart goes out to you as you are the blunt of the peoples fears and concerns. I honor you greatly as men who have been situated in your positions not only by the people of Appomattox but by God himself. And having that ordination, as supervisors, you have a duty to God and the people of Appomattox and we should all honor that. But, I too, am greatly frustrated because of what I have witnessed in the past 30 years. When I was a boy in New York, and the assessed taxes for property of 50 or 60 thousand dollars was $900.00 and in 30 years it went to $8,000 for an acre or acre and a half of property, but New York is not Appomattox but we can see what can happen if there are not restrictions. As far as taxes are concerned, James Madison stated

that the legislative act of taxation provides the greatest opportunity and temptation incredible on the rules of justice. I cannot support the Board's decision whether it is written in stone or not. I fear what will happen and what may happen in the future may very well be based on what is happening today. Gentlemen, God Bless you".

Mr. Moore thanked Mr. Raymond and asked to the next person to speak.

Mr. Chris St. John came forward and stated his address as Route 2, Stonewall District, Concord., VA. "I, too, realize that us being here tonight really doesn't make a difference because you five gentlemen have already come to your decision and I realize that. I have some concerns and you have decided what you are going to do about the budget, but my question tonight concerns representation of the citizens of the Stonewall area who are not fortunate enough for our representative to be present or is it the position he holds not being taken seriously. We, in the Stonewall or Wreck Island District or whatever it is called these days, need to take a hard look at whether this is or is not the representation we need and if it will continue to be tolerated. Currently there are five (5) supervisors, yet tonight there are only four (4) present. No wonder you cannot work collectively as a group to make good decisions based on the best interest of the County citizens when not everyone wants to be present for whatever personal reasons they may have. I feel sort of let down, I really do. Thank you".

Mr. Moore asked if anyone else wished to address the Board.

Mr. Floyd Williams came forward and gave his address as Falling River Acres, Appomattox, Va. "I am not here to criticize you or complain about taxes. I just want to say a few things about expenditures. I have heard a lot of talk about hiring a financial advisor. Somewhere about 75% of the County budget goes to schools. That is already been earmarked and we know where that is going. It doesn't make good sense to me to hire someone and fund an office of about $90,000 a year. Another thing, I have been in the banking business for about 35 years and made quite a few loans. I try not to make a loan to a person to build something when they don't know where their payments are coming from. I think you have passed a resolution to build a school and a courthouse, and I am not opposed to either one, but my problem is where is the money coming from. You all have stated in the paper, you don't know. I think you need to know where the money is coming from before you spend it. Thank you."

Mr. Moore thanked Mr. Williams.

Mr. Moore asked if anyone else wished to speak.

At 7:40 p.m. Mr. Moore declared the Public Hearing closed.

Russell H. Moore

Russell H. Moore, Chairman

On May 15, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors held its regular meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District

Absent: Frank H. Carwile - Wreck Island District

Also Present: Aileen T. Ferguson, County Administrator
Andy Carroll, Assistant County Administrator
Darrell A. Puckett, County Attorney

At 6:00 P.M. Mr. Moore called the meeting to Order

Mr. Kendrick gave the invocation.

Mr. Moore called for a motion to approve the monthly bills.

Mr. Carter made a motion seconded by Mr. Hancock to approve the bills for the month of May, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye and Mr. Carter, aye.

Mr. Moore called for Supervisor Concerns:

Mr. Kendrick questioned what was going on with the land Mr. Clayton Bryant is developing on Route 460. He wonders about the effect this development may have on the Appomattox County Industrial park.

Mrs. Ferguson informed the Board that a portion of these lots on both sides of Route 460 has been cut off and is zoned B-1 the remainder of approximately 200 acres has been left zoned as A-1 and will probably be divided into one acre lots. This portion being on the state maintained highway. The balance will be sold as larger tracts for residential development. She has not seen a plat to this effect but understands that this is the present plan.

Mr. Kendrick questioned how wide is the property tract along the Route 460 corridor? This is the entrance to Appomattox County and whatever is placed there will set an example for the County. Are we going to have a lot more trucks and trailers parked there, or are we going to have an industrial park with side roads and shrubbery and done so it is not an eyesore. How can we help to develop and get the kind of things that we want out of it and have Mr. Bryant reach his goals and what about water. We need to have a discussion with him and see what his plans are for this property and is there an actual plan for this. He is greatly concerned as he sees this land stripped bare and wonders what will go up there. Questions if there are any rules or regulations governing what can and cannot be placed on a State highway.

Discussion followed.

Mrs. Ferguson will check into this and report at a later date.

Being no other Supervisor Concerns, Mr. Moore called to Mr. Hal Craddock to appear before the Board.

Mr. Craddock discussed with the Board a change order relating to the window at the Sheriff's Department at a cost of $387.37.

Mrs. Ferguson also discussed a change in the connection of the roof drains that will dump onto the parking lot. The Sheriff is concerned with this freezing and causing accidents. The price of putting this under the paved area will be $1,004.30.

Mr. Carter made a motion seconded by Mr. Moore to approved the expenditures for the corrections to the Sheriff's Addition. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

Mr. Kendrick asked Mr. Craddock to address some concerns regarding the Courthouse. Some discussion followed with Mr. Craddock stating that the present Courthouse should be renovated even if it were not used as a Courthouse. The building definitely should not be torn down.

Mrs. Ferguson reminded the Board that they had approved for Mr. Craddock to proceed with the drawings for a new courthouse and a contract has been signed. The property has been surveyed and Mr. Craddock is working on these drawings. Mrs. Ferguson has spoken to the Judge but he would not get into any discussion due to the legal litigations that are pending. The only comment he would make was that the present building is totally unacceptable and something had to be done.

Mr. Carter reminded the Board that according to Roberts Rules of Order that the prevailing side, Mr. Kendrick or Mr. Hancock, had to bring up this issue before another action could be taken and maybe we need the opinion of the County Attorney.

Mr. Kendrick stated he would like to have Mr. Craddock proceed with the study on how we could phase the renovation of the Courthouse in a way that would be pleasing to the Judge and at the same time would be pleasing to us financially.

Mr. Kendrick made a motion to direct Mr. Craddock to make a study on how we could renovate the Courthouse in phases over a period of three years.

Discussion followed.

This motion does not indicate any stoppage of any kind.

Mr. Puckett will talk with the Judge on Monday to get his feelings on this subject.

Mr. Craddock stated that the Judges first priority is security.

Mr. Kendrick revised his motion to have Mr Puckett to speak with the Judge about the phasing in proposal. Mr. Carter seconded the motion. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr Hancock, aye; and Mr. Carter, aye.

Mr. Puckett will call Mr. Moore and Mrs. Ferguson after talking to the Judge.

Mr. Moore thanked and excused Mr. Craddock.

Mr. Moore explained an executive session was necessary under Code Section 2.1-344(A)7 legal issues and Code Section 2.1-344(A)1 -personnel matter.

At 6:50 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to enter into closed session to discuss a legal and personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

On a motion by Mr. Kendrick at 7:05 P.M. seconded by Mr. Hancock it was resolved that the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

On a motion by Mr. Kendrick seconded by Mr. Hancock, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

At 7:05 P.M. the Board of Supervisors recessed until after the Public Hearing

At 7:38 P.M. the Board of Supervisors meeting reconvened.
Present: Mr. Moore, Mr. Kendrick and Mr. Carter.
Mr. Hancock in Planning Commission meeting.

The Hebron Baptist Church youth group has requested to use the ballfield at the old Oakville School to hold a tournament on June 10th. They will be using the restroom facilities at the Oakville Ruritan Club building.

Mr. Carter made a motion seconded by Mr Kendrick to allow the Hebron Baptist Church youth group use of the Oakville School ballfield on June 10th, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

Mecklenburg County is requesting a resolution of support requesting the General Assembly to change the Code of Virginia to allow localities to increase the local retail sales tax to two (2) percent.

Mr. Kendrick made a motion seconded by Mr. Carter to support Mecklenburg County's resolution requesting the General Assembly to change the Code of Virginia to allow localities to increase the local retail sales tax to two (2) percent. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

The Board next considered Supplemental Appropriation Requests:

(a) Mr. Martin is requesting an appropriation of $25.00 to the food supplies line in the Animal Control Budget for a donation received.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $25.00 to the Animal Control budget for donation received. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

(b) The Library is requesting an appropriation of $189.31 for fees, book replacement and donations received.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $189.32 to the Library budget to cover fees collected, book replacement, and donations received. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

(c) The Landfill is requesting an appropriation of $8,984.97 to cover bills involved in the landfill expansion:

Hurt & Proffitt	$1,395.95
Hurt & Proffitt	6,387.33
Hurt & Proffitt	365.93
Hurt & Proffitt	835.76

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $8,984.97 to the Landfill budget to cover professional expenses to Hurt & Proffitt. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

We have received a quote from BAI for upgrading the AS400 system. This item is budgeted for FY2001 and the first payment will become due in July 2000. Does the Board wish to proceed with this upgrade?

Mr. Carter made a motion seconded by Mr.Kendrick to proceed with the upgrade of the AS400 computer and accept BAI's quote of $56,427.00. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and

Mr. Carter, aye.

Mrs. Ferguson informed the Board that it had come to her attention that the policy concerning the flying of the Confederate Battle Flag on County Property acted on at the January 10th 2000 meeting has an incorrect date. The policy states May 2nd and should read the second week in May, Appomattox History Week. Mrs. Ferguson is requesting a change in the policy to correct this error.

Mr. Carter made a motion seconded by Mr. Kendrick to change the policy on the flying of the Confederate Battle Flag on County Property to read the second week of May, Appomattox History Week not the 2nd of May. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

The next item the Board considered was appointing a Board of Assessors comprised of one citizen from each Magisterial District. This item was moved to the June, 2000 meeting. No action taken.

Mrs. Ferguson informed the Board that the Judges major concern at the Courthouse is security due to the many entrances into the Courthouse. By moving the offices located in the basement of the Courthouse to another location, we can secure the stairway from the rest of the building by installing a door and having the public access to the restrooms via the opposite side of the building. Does the Board wish to pursue this matter?

Mr. Kendrick made a motion seconded by Mr. Carter to have Mrs. Ferguson look into ways to make the Courthouse more secure. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr Carter, aye.

The School Board is requesting a supplemental appropriation in the amount of $14,914.00 due to adjustments because of an increase in the ADM. There will be no additional local funds necessary.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $14,914.00 to the School Budget to cover adjustments made by in increase in the ADM. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

Being no further business to discuss, Mr. Kendrick made a motion seconded by Mr. Carter to adjourn the meeting at 7:47 P.M. VOTE: Mr. Moore, aye;, Mr. Kendrick, aye; and Mr. Carter, aye.

Russell H. Moore

Russell H. Moore, Chairman

On May 15, 2000 at 7:00 P.M. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Present: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District

Absent: (Board of Supervisors)
Frank H. Carwile - Wreck Island District

Present: (Planning Commission)
Al Sears, Chairman
Kevin O'Brien
Claude A. Moore
Jim Sefter
Wayne Lewis
Robert Johnson
Jesse Hancock

Absent: (Planning Commission)
Calvin Tanner
Elizabeth Edwards
W. H. Carson

Also Present: Aileen T. Ferguson - County Administrator

At 7:06 P.M. Mr. Moore called the Public Hearing to order and stated the purpose of this hearing was to receive public comments on zoning petitions. Mr. Moore then stated the procedure for addressing comments.

Mr. Moore then asked Mr. Sears to read the first petition:

00-425 - Courtland Realty - Rezone property from A-1 to R-2. Property is part of Tax Map #64-A-35 and is located on Route 691 between Route 719 and Route T-1008.

Mr. Moore called for comments for or against this petition.

Mrs. Nina Beasley came forward and gave her address as P O. Box 192, Appomattox, Va. She is not against this petition but she does have some questions. Is this going to be a sub-division? Will there be any restrictions on these lots. If I bought an acre lot could I put two or three trailers on it? She is concerned because this property runs beside and behind her property.

Mr. Moore referred Mrs. Beasley to the Planning Commission because he could not answer her questions.

Mr. Sears attempted to answer her questions.

Mr. Moore asked Mr. Sears to read the next petition:

Mr. Sears read petition:
00-426 - Courtland Realty - Rezone property from A-1 to R-2. Property is part of Tax Map #64-A-35 and is located on Route 658 between Route 1032 and Dead End.

Mr. Moore called for comments.

Hearing none, Mr. Moore asked Mr. Sears to read the next petition:

00-427 - GTE South Inc. - Conditional Use Permit to allow telephone remote switching facility on part of Tax Map #29-A-22. Property is zoned A-1 and is located on Route 616 between Route 608 and Route 684.

Mr. Moore called for comments for or against this petition..

Mr. Roy Nicely came forward and stated his company had been contracted to do the site plan for the switching facility, which would consist of a small meter box and a concrete pad with a small gravel space for parking. Anticipates maybe one trip a day once it is installed. This will only require easements not land transfers. This facility will be like the one located on Route 26 at Oakville. He will be glad to answer any questions.

Mr. Moore called for additional comments. Hearing none, he called for the next petition to be read.

00-428 - John Masserini - Conditional Use Permit to construct 150' x 40' building for sporting goods store and four (4) rental stores for offices and retail sales. Property is Lot 1B in Concord Business Park (part of Tax Map #60-A-53) zoned B-1 and is located on Route 460 between Route 667 and Route 609.

Mr. Moore called for comments for the petition.

Mr. Park Snead came forward and stated he was in favor of this petition.

Mr. Moore called for comments against the petition.

Hearing no other comments, Mr. Moore declared the public hearing closed at 7:15 P.M.

Russell H. Moore

Russell H. Moore, Chairman

A recessed meeting and work session of the Appomattox County Board of Supervisors and the Appomattox County School Board was held on May 18, 2000 at 6:00 p.m. in the School Board Administration Building, Court Street, Appomattox, Virginia 24522.

(Board of Supervisors)
Present: Jerry G. Kendrick - Vice Chairman - Appomattox River District
Samuel E. Carter - Appomattox Courthouse District
Jesse H. Hancock - Falling River District

Absent : Russell H. Moore - Piney Mountain District
Frank H. Carwile - Wreck Island District

(School Board)
Present: Earl Pickett - Chairman - Appomattox River District
Robert Mitchell - Appomattox Courthouse District
Martha Pankey - Piney Mountain District
Cliff Rhodenizer - Wreck Island District
Lannis Selz - Falling River District

Also Present : Bob Moje - architect
Joyce Jamerson - Assistant Superintendent
Janice Marston - Principal- Appomattox Elementary School
Bobby Waddell - School Administration
Billy Perrow - School Administration
Vicky Phelps - County Administration

Mr. Kendrick called the meeting to order at 6:00 p.m. and likewise Mr. Pickett called the school board meeting to order.

Mr. Pickett then turned the meeting over to Mr. Bob Moje for an update on the schematic design proposal for the new elementary school. Mr. Moje addressed questions on the plan for the sloped roofs. He provided a copy of the roof design with virtually all of the buildings having sloped roofs. Mr. Moje stated that the sloped roof would cost more and Mr. Phillip Jamerson would be providing an estimate.

Mr. Moje stated that he had asked the site engineer and Mr. Jamerson to give a conceptual estimate. They came up with a $102.00 per square foot for the building. The site preliminary conceptual estimate was between $7 and $8 dollars per square foot, bringing the total estimate to around $109.00 per square foot. Mr. Jamerson will be working on more comparisons of different parts of the building, but the estimate of $105.00 per square foot is still a reasonable target.

Mr. Moje discussed the latest school construction data published by the State for schools constructed in 1998-1999 with the reporting period ending July 1, 1999. Mr. Moje stated that the maximum capacity of the school was 1,032 . To calculate the average square footage of the

school based on the capacity of students, take the rated number of 1,032 and use the average square footage cost of $105 . If you take this school's square footage at 106,727 multiply by $105 and you reach a total cost of $11,206,335.00 for site and building construction.

The amount of $2,250.000 will be additional cost to the $11,206,335.00 for project cost. (Technology, furnishing, architects fees & 5%, contingency.)

The total amount coming to approximately $13,321,000, based on the $105 per square foot cost Mr. Moje reminded the Boards that there has been at least a year and a half of inflation since the school construction data report has been done.

Discussion of the square footage per pupil. Mr. Moje explained how they calculate the square footage per pupil.

Mr. Selz asked what the possibility was of having a comparison of the price of the Rustburg school and the Bedford school to our proposed school. He would like to know what is making our price so much higher than the two schools being built now. Is it possible that we can have a comparison of what is making our cost so much higher than other schools being built and what we are doing differently from those other schools.

Mr. Moje explained that we need to recognize that our proposed school is much larger than either of the schools cited by Mr. Selz.

Some discussion occurred regarding how the comparison should be done. Should it reflect square footage, the increase in cost since others schools have been started, or the increase in cost per student. Focus of the discussion was to provide a comparative number so that citizens can see just why our cost is higher than the other schools being built.

There was some discussion regarding the Rustburg Elementary School and the cost differences. Also discussed was the need and prudence of a 5% contingency for the project. The ability of the schools design to also meet future needs of the school system with regards to future educational demands was also discussed. Mr. Moje stated that the current design allowed for changes.

At 6:50 p.m. Mr. Carter made a motion, seconded by Mr. Kendrick to adjourn meeting until July 20, 2000 at 6:00 p.m. This will be prior to the regular School Board meeting.
Vote: Mr. Carter, aye; Mr. Kendrick aye; Mr. Hancock, aye.

Russell H. Moore, Chairman

On June 5, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors held its regular meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Moore called the meeting to order at 6:00 P.M. and asked Mr. Carter to give the invocation.

Mr. Moore called for the approval of the bills for the month of June, 2000.

Mr. Carter had some concerns which he discussed with Mrs. Ferguson.

Mr. Carter made a motion seconded by Mr. Kendrick to approve payment of the bills for the month of June, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called Ms. Sandra Lindsay to appear before the Board.

Ms. Lindsay meet with the Board to request a resolution to take Bell Grove Drive in Hunting Ridge Subdivision into the State Secondary Road System.

On a motion by Mr. Carwile seconded by Mr. Carter the following resolution was adopted:

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form SR-5(A) to the Appomattox County Secondary Road System for maintenance the following subdivision road which has been constructed by the subdivider as a Class "A" subdivision in accordance with the requirements of Section 33.1-229, Code of Virginia and the Virginia Department of Transportation's Subdivision Street requirements, **TO WIT:**

Hunting Ridge Subdivision

Belle Grove Drive - Beginning at a point on Route 1090, .18 mile East of Route 656 and running to the North for a distance of .12 mile to a dead end.

Total Length: - .12 mile Right of Way - 50 feet

BE IT FURTHER RESOLVED, That this Board guarantees a minimum unrestricted 50-foot right of way with additional widths as may be necessary for cuts, fills, and drainage together with easements on adjacent properties.

Recorded in Plat Book 8, Pages 70, 71, 72 and July 20, 1990.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carwile asked if Ms. Lindsay had any updated Appomattox County maps.
Mrs. Ferguson stated there were some in the office and she would get these to Mr. Carwile.

Mr. Moore thanked and excused Ms. Lindsay and called Mr. Monte Mays, Commissioner of Revenue to address the Board.

Mr. Mays gave each Board member an application for Tax Relief for the Elderly and/or Handicapped. Citizens have to fill out these application every three (3) years to qualify for a tax relief on their real estate taxes. He has many elderly and handicapped persons to come to see him since the announcement of the tax increase to have these figures amended. Mr. Mays recommend these changes become effective January 2001. Income figures should be amended from $12,000 to $15,000 per family whether they are a single member family, widow or husband and wife. The accepted amount for relatives that live with them amended from $5,500 to $7,500. The net worth can stay the same, not to exceed $90,000 and the fair market value of the dwelling, since we have not had a change, could stay the same also. We usually go over this after a reassessment and Mr. Mays will go over these again after we finish the reassessment. Last year we had 126 people qualify with the tax relief amounting to $24,006.00 and that was an increase up from last year of $15,492.00.

There was some questions and discussion.

Mrs. Ferguson informed the Board that this constitutes an Ordinance change, therefore a public hearing is required.

Mr. Moore thanked and excused Mr. Mays.

Mr. Moore then called Mr. Bill Slagle, I. D. A. Chairman.

Mr. Slagle gave the Board an update on the Industrial Park.

Mr. Slagle stated there have been some minor changes. Ran into some utility problems at the intersection next to Dairy Queen. Overall the project about 40% complete and grading is 53% complete. The Route 26 improvements, VDOT will report on this part of the project, with construction to begin possibly in September and be completed by the last of October.

From the marketing point of view, we have one prospect. Overall, statewide, economic activity is down. IDA is working on a marketing brochure to be presented at the International Plastics Show in Chicago and Region 2000 will participate in this show as they have in the past and hopefully Andy will be able to attend also.

Mr. Slagle discussed the creation of another zone for the industrial park - M2 zoning. The current M-1 Zone is not adequate. The IDA has drafted this proposed zoning and has presented it to the

Planning Commission. Mr. Slagle is requesting that this ordinance be advertised for public hearing.

Mr. Carter asked a question regarding item 3 under Section B. relating to objectionable noise and smell as to what constitutes objectionable. Mr. Slagle answered this is a difficult question because what is objectionable to one may not be objectionable to another.

The IDA is looking for low water users, and will allow the Town to drill two (2) wells on the site.

Mr. Moore thanked and excused Mr. Slagle.

Mrs. Ferguson explained that Mr. Brian Knopp of the Lynchburg Regional Chamber of Commerce would not be attending tonight's meeting.

Mr. Moore called for Supervisors Concerns.

Mr. Carter asked if June 19th was still the date set to adopt the Budget. Need to set up dates for work sessions prior to this date.

Mr. Kendrick stated he had intended to speak later on in the meeting but felt now was a good time to do so. He has had time to go over the debt retirement and the impact it has on taxes at various amounts for the Elementary School and quite honestly he is quite concerned because the tax increase we have just imposed with the .25 cents is in many ways catastrophic on some folks and the idea of being able to build an elementary school without having a substantial tax increase or trying to find some alternative method of financing, that would allow us to continue on with the program and at the same time keep these taxes in a range that is affordable by the public. I was going to bring up that we should have some joint meetings with the School Board and lay out exactly what our financial situation is. Right now, having looked at what could happen next year, and the fact that we are looking at 30% addition to the tax base itself, leaving the tax rate at .80 cents as it is right now, would generate approximately 1.3 million dollars. If you did a $11 million school it would cost you in debt payments $8 ($800,000) hundred thousand. If we were fortunate enough to phase in the renovation and pay $1.5 million, it would cost us $128,000.00. The bottom line to this is that if you added inflation on at 3.5% you would add another $252,000 per year and basically you would have $117,000 left out of the assessment for further growth or whatever we might have. It puts us in a very tight situation when we look at building an $11 million school. I would like to have some work sessions to sit down and look at these numbers, validate the numbers, have joint discussion with the School Board so we ourselves can come to a conclusion that is advantageous for the community. Right now I am very troubled with this and feel we need to start having these sessions right away. Mr. Kendrick apologized for having to increase the taxes by .25 cents but once you see the numbers, things will begin to make sense.

Mr. Moore agrees with Mr. Kendrick He cannot see how the citizens can handle the impact of all of this.

Mr. Carwile also agrees with Mr. Kendrick and is glad he bought it out like he did.

Mrs. Ferguson suggested that the Board meet together first and then set a date to meet with the School Board because the School Board has to be given an opportunity to advertise its meetings.

The Board will meet again on Thursday, June 8th at 6:00 p.m. A Joint Session with the School Board will be held on June 22, 2000 at 6:00 P.M. at the School Board Administration Board Room.

Under Supervisors Concerns, Mr. Carter reported on the Citizens Forum. They have elected new officers for this coming year and are continuing with their three main activity groups. Input has been good.

Mr. Moore then explained that an executive session was necessary under Code Section 2.1-344(A)7 -legal issues and Code Section 2.1-344(A)1-personnel matter.

At 6:40 P. M.. Mr. Carter made a motion seconded by Mr. Hancock to enter into closed session to discuss a personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On Mr. Carter a motion at 8:02 P.M. seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive session was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then called Mr. Hal Craddock, Craddock Cunningham Architectural Partners to appear before the Board.

Mr. Craddock informed the Board that he has contacted Judge Blanton and they are trying to set a date and time to meet and discuss the Courthouse situation. Mr. Craddock described two (2) strategies he has laid out to present to Judge Blanton.

In the scheme to renovating the present Courthouse one plan was to add to the back of the building and renovate everything around here we see. That would put the Circuit Court and Judge Blanton on the main floor, the Commonwealth Attorney on the third floor, and the Clerk's Office on the ground level. Also the Board of Supervisors Meeting room and Jury Selection room would be behind the Courtroom. Also this plan included adding to the present Clerk's Office Building to house the Judges Chambers, General District Court and holding cells.

Strategy A -His suggestion for Phase I is to build that facility on to the Clerk's Building, instead of necessarily doing too much to the Courthouse building at this time. Build a new Courtroom, new judges chambers, new holding cells and build a jury room that could become something else in the future, such as lawyers offices. Create a new courtroom, leave the Circuit Court Clerk where she is and so in essence we would be putting the Circuit Court with the Circuit Clerk in one building and on this property. He does not know if the Judge will be willing to go along with this plan.

Renovate the existing Courthouse for the General District Court but do it in a way that could be converted to the Circuit Court when we begin Phase II. Put a new roof on the building, and build a parking lot for approximately one million dollars. This would not add an addition to the old Courthouse building. He thinks this is the plan that should be presented to the Judge.

Strategy B - Would be to renovate the Courthouse as shown on his drawings. There are a lot of manipulations to cut these projects apart that he feels would be expensive, probably around $1.5 or $1.6 million. This would be quite disruptive and Option 1 would give you someplace to put people while the other was being done. Strategy B would cost more and not work as well.

Discussion followed with some of the Board Members requesting to be present when Mr. Craddock meets with the Judge.

Mr. Moore then thanked and excused Mr. Craddock.

Mr. Moore then asked for comments on the recommendations of the Planning Commission regarding petitions heard at the May 15th Public Hearing.
Petition 00-424 - Bobby E. Moore - Rezone property from A-1 to M-1 with Conditional Use Permit to allow Truck and Trailer storage and Repairs and contract facilities to include heavy equipment storage yard. Property is Tax Map #72(A) Railroad Right of Way. Property is located on Route 741 between Route 24 and Dead End. Planning Commission recommended disapproval.

No action required. Petition withdrawn on June 5, 2000.

Petition 00-425- Courtland Realty - Rezone property from A-1 to R-2. Property is part of Tax Map #64-A-35 and located on Route 691 between Route 719 and Route T-1008. Planning Commission recommended approval.

Petition tabled until further information is available.

Petition 00-427 - GTE South Inc. - Conditional Use Permit to allow telephone remote switching

facility on part of Tax Map #29-1-22. Property is zoned A-1 and is located on Route 616 between Route 608 and Route 684. Planning Commission recommended approval.

Mr. Carter made a motion seconded by Mr. Hancock to approval Petition 00-427 to GTE South Inc. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Petition 00-428 - John Masserini - Conditional Use Permit to construct 150'x 40' building for sporting goods store and four rental stores or offices for retail sales. Property is Lot 1B in the Concord Business Park (part of Tax Map #60-A-53) and is zoned B-1, located on Route 460 between Route 667 and Route 669. Planning Commission recommended approval.

Mr. Carter made a motion seconded by Mr. Hancock to approve Petition 00-428 to John Masserini to construct sporting goods and retail rental sales space on Lot 1B - Concord Business Park VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr Carter, aye.

The Board also instructed Mrs. Ferguson to ask the Planning Commission to consider limiting the number of times an application can be withdrawn.

Mrs. Ferguson stated the Lynchburg Department of Housing and Community Development has written the Board concerning the Indoor Plumbing/Rehabilitation Program administration. Do you wish to allow Lyn-Cag to continue handling this fund.

Mr. Kendrick made a motion seconded by Mr. Carwile to allow Lyn-Cag to continue administering the Indoor Plumbing/Rehabilitation Program funds for the upcoming year. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Regional Renaissance Board of Directors needs a replacement for Mr. House. Mrs. Ferguson was instructed to write a letter to Mr. House. The Board postponed this appointment to the next regular meeting.

Mr. Berkley Cabiness' term on the Library Board will expire June 30, 2000 and he is ineligible to be reappointed. Need an appointee from the Wreck Island District for the Library Board.

The Board of Assessors needs to be appointed. Need one appointee from each of the Magisterial Districts. Mr. Carter made a motion seconded by Mr. Kendrick to appoint Mr. Cliff Rhodenizer, R. Clayton Martin and Bobby Mitchell as the Board of Assessors at a pay rate of $70 per day with an anticipated work time of one day per week until the end of the reassessment. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Sheriff's Department is requesting Supplemental Appropriations in the amounts of $72.84 for reimbursement received for transportation and $1,293.08 from the IDA Bond Fund to pay Craddock-Cunningham for architectural Services on the Sheriff's Project.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate $72.84 to the Sheriff's

Department to cover reimbursement for transportation and $1,293.08 from the IDA Bond Fund to cover architectural services for the Sheriff's project. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The School Board is requesting a Supplemental Appropriation of $150,000.00 from the Textbook Rental Fund.

Mr. Carter made a motion seconded by Mr. Hancock to appropriate $150,000.00 from the Textbook Rental Fund to the School Board. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Brickhill is requesting an appropriation in the amount of $840.85 from the Law Library Fund to pay the following bills for the Month of May, 2000:

West Group Payment Center	$100.51
Knowles Publishing Inc.	60.46
Lexis Publishing	59.38
Lexis Publishing	45.88
Shepard's	574.62
TOTAL	$840.85

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $840.85 from the Law Library Fund. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mrs. Ferguson requested the following Line Item Transfers to pay bills for the month of June 2000:

Board of Assessors: $840.00 from 8105-6005 to 1211-1001
Landfill: $47,000.00 from 8105-6005 to 4204-3002
Road Viewers: $295.00 from 8105-6005 to 4104-1006
Reassessment: $2,470.90 from 8105-6005 to 1210 -

Mr. Carter made a motion seconded by Mr. Carter to approve line item transfers in the amount of $50,605.90 as requested. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Social Services has submitted their FY2001 budget which should have been approved prior to June 1, 2000. Since we did not receive this budget until May 17, 2000 we were unable to meet this date. There is an increase of $1,075.00 over last year's budget.

Mr. Carter made a motion seconded by Mr. Kendrick to approve the Social Services FY2001 Budget as submitted. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mrs. Carolyn Richardson has requested permission to hang a portrait of Retired Sheriff Gene Richardson in the Courtroom. On November 7, 1994 the Board of Supervisors set a policy governing the placement of portraits in County owned buildings. Local Judges, local, federal and State representatives in the Circuit Courtroom. Local and Constitutional Officers will be placed in

their respective offices.

The foyer of the Library was suggested for this portrait and Mrs. Ferguson will report back to the Board on this matter at a later date.

Public hearings need to be held on several proposed Ordinance changes. Mrs. Ferguson would like to set these hearing dates at the next meeting on Thursday night.

Mr. Carroll has requested permission to attend the International Plastic Trade Show in Chicago on June 19th - 22nd with Region 2000. The cost will be approximately $2,000 to $2,500. This money is available in the economic development budget. Mr. Slagle of the IDA feels this would be a good place to promote the industrial park.

Mr. Kendrick made a motion seconded by Mr. Hancock to allow Mr. Carroll to attend the International Plastic Trade Show in Chicago to be held June 19th thru June 22nd, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The next item on the Agenda was Additional Items for Consideration.

The Landfill has received a satisfactory report from the DEQ on it's last inspection.

The Sheriff's Office is requesting a supplemental appropriation in the amount of $34,081.00 from the IDA Bond Account to make the next payment on the addition to the Sheriff's Office.

Mr. Carter made a motion seconded by Mr. Kendrick to approve a supplemental appropriation from the IDA Bond Account in the amount of $34,081.00 to cover the next payment on the addition to the Sheriff's Office. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Town/County Police Agreement for the period of June 1, 2000 through June 30, 2001 needs to be approved. (See copy in Board File).

Mr. Carter made a motion seconded by Mr. Kendrick to approve the Town/County Police Agreement for a period of June 1, 2000 through June 30, 2001. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

By consensus of the Board of Supervisors it was recommended that Ms. Kathy Bloodworth and Ms. Marte Charte receive a Certificate of Recognition for their hard work in keeping the Appomattox County Library running smoothly during the period the County was without a Librarian.

At 8:50 P.M. on a motion by Mr. Carter seconded by Mr. Kendrick the Board of Supervisors recess until Thursday, June 8, 2000 at 6:00 P.M. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a recessed meeting on Thursday, June 8, 2000 at 6:00 P.M. in the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Moore called the meeting to order at 6:00 P.M. and asked Mr. Hancock to give the invocation.

Mr. Moore explained that an executive session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 6:05 p.m. Mr. Carter made a motion seconded by Mr. Kendrick to enter into executive session to discuss a legal and/or personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 7:52 P.M. on a motion by Mr. Carter, seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 7:55 P.M. on a motion by Mr. Carter seconded by Mr Kendrick the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive session was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (ii) only such executive

matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore stated that it was with regret that he was announcing the resignation of Aileen T. Ferguson as County Administrator for Appomattox County effective immediately. Mr. Moore asked the Board for a motion to pay Mrs. Ferguson for the remainder of the month and for leave time accumulated.

Mr. Carter made a motion seconded by Mr. Hancock to pay Mrs. Ferguson for the remainder of the month and for her accumulated leave time. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore stated he would also like to make a motion that we have the State Police do an investigation into the Mary Ann Freshwater affair, so we can make a decision based on their findings. Today we all have our own ideas but we don't know what is legal and what is not legal but with an outside investigation, especially the State Police, the Board can come with the answers we need.

Mr. Carter seconded the motion. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

A motion was made by Mr. Carter, seconded by Mr. Kendrick to hold a Public Hearing on July 3, 2000 at 6:00 P.M. to receive comments on the Proposed Ordinance Changes to the Code. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll was instructed to advertise this Public Hearing for two (2) weeks prior to July 3rd.

The Board of Supervisors set June 15th as the date to interview candidates for the Building & Housing Inspector and Landfill Supervisor positions.

Mr. Kendrick made a motion seconded by Mr. Carter to restructure our organization to avoid any potential legal conflicts in hiring a new County Attorney. Mr. Moore called for discussion.

Mr. Carwile stated that this motion is hinged on a legal issue dealing with the Commonwealth Attorney and he cannot and will not support it.

Mr. Hancock stated he could not support this motion at this time.

Mr. Moore then called for a vote on the aforementioned motion. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, nay; Mr. Carwile, nay; and Mr. Carter, aye.

Mr. Moore stated that a motion had been made and carried that the Board of Supervisors hire a new County Attorney.

Mr. Kendrick made a motion seconded by Mr. Carter that in the future the Board of Supervisors hire as County Attorney someone other than the Commonwealth Attorney to avoid any conflict that should arise. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr Carter, aye.

Since the County Administrator has resigned, Mr. Carter made a motion seconded by Mr. Kendrick to appoint Andy Carroll, Assistant County Administrator as Acting County Administrator effective immediately. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 8:05 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to recess until Thursday, June 15th, 2000 at 6:00 P.M. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Russell H. Moore, Chairman

At 6:00 P.M. on June 15, 2000 the Appomattox County Board of Supervisors held a meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Andy Carroll - Acting County Administrator

Mr. Moore called the meeting to order at 6:00 p.m. and stated the purpose of the meeting was to interview candidates for the Positions of Building & Housing Inspector and Landfill Supervisor.

Mr. Carter delivered the invocation.

Mr. Moore explained that an executive session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 6:05 P.M. Mr. Carwile made a motion seconded by Mr. Carter to enter into closed session to discuss a legal and personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 10:07 P.M. Mr. Crawile made a motion seconded by Mr. Kendrick it was resolved that the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomatox County Board of Supervisors has convened an executive session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive session was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 10:10 P. M. Mr. Carter made a motion seconded by Mr. Kendrick to adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter. Aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held it regular meeting on June 19, 2000 at 6:00 P.M. in the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Also Present: Andy Carroll - Acting County Administrator

Mr. Moore called the meeting to order at 6:00 P.M. and gave the invocation.

Mr. Moore announced that the Board has a lengthy closed session agenda tonight, plus a Public Hearing at 7:00 P.M., therefore, the closed session would be moved. After the Planning Commission finishes its deliberations and the Jury Room is available, the Board will hold closed session and reconvene if any other business is pending.

Since Mr. Hal Craddock was not present and was expected to be a little late in arriving, Mr. Moore called Mr. John Gascoyne to appear before the Board.

Mr. Gascoyne came forward and stated he was going to read a prepared statement. Mr. Gascoyne is asking the Board to repeal the restricted voter district system and institute the at-large process for selecting Board of Supervisors in the same manner as the other governmental officers; the Sheriff, the Commissioner of Revenue, etc. Mr. Gascoyne had a petition containing 15 signatures of people who join him in this petition.

Mr. Moore thanked and excused Mr. Gascoyne.

Mr. Moore called for approval of the bills.

Mr. Carter questioned 10 items regarding the appropriate suffix being charged. They have all been corrected.

Mr. Carter then made a motion seconded by Mr. Kendrick to approve the bills for payment as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then called Mr. Hal Craddock to give an update on his discussions with the Judge regarding renovations to the Courthouse.

Mr. Craddock stated that he and Mr. Moore had met with Judge Blanton and they went over some of the things he saw as meeting the Courts needs. The Judge basically rejected our concept of building a new courthouse onto the Clerk's Building adding that would take us through the next five or six years. We could do this in the first phase but we would have to renovate the present Courthouse and add on behind it. This is the bad news. The good news is he had talked with both Judge Kerr and Barbara Williams, the Clerk and they felt like that at least for the foreseeable future the Clerk remain in the current building with no renovations and that he and the General District Judge could share the present Courtroom. The Judges feel that if Court Services were left in the other building, Judge Kerr and the Juvenile Court could be moved to the Courthouse building thereby having all three courts in the same building. Combine the General District and Juvenile Clerks in the area proposed for the Circuit Court Clerk on the lower level. The Board of Supervisors Meeting Room/Jury Selection Room could be used as a court room when there is a conflict, which is very, very seldom. This would cut some costs. Total estimated cost of $2,708,561. (See preliminary sketches in Board File).

The only down side to this plan is that you are separating the Judges and the Clerks, but the Judges feel that this may be okay.

There is also an optional parking area included in this figure.

Some discussion followed.

Mr. Kendrick questioned the cost of the Juvenile & Domestic Relations Court.
Mr. Craddock stated the cost of upgrading the J & D Court under the previous plan was $70,000 but this would not be needed under this plan.

Mr. Carwile questioned the effect, if any this new addition would have the Old Jail Building. Mr. Craddock stated they need to decide the best way to address this because of the close proximity of the Old Jail and the new Courthouse.

Mr. Moore told the Board that in the meeting Judge Blanton stated that everyone was saying the Judge wanted this and the Judge wanted that. He wants everyone to know it is not what the Judge wants. He wants to meet the ADA requirements and he also wants to meet the requirements for the Courts System to operate as it is suppose to. That is all he is asking. He is not asking for anything for himself personally, in fact he is working to come up with the minimal we can do to satisfy the court system. He went out of his way to say it was not the Judges, but the law and this Courtroom has operated outside the law for some time.

Mr. Craddock stated that the present plan is a very preliminary design and figures would be nailed down a great deal with the finished design. We are talking about 2 -1/2 years construction beginning in Spring 2001.

Mr. Kendrick made a motion seconded by Mr. Carter to rescind the order to build a new courthouse and proceed with the current renovation proposal.

Mr. Moore asked for discussion.

Mr. Carwile wanted more time to review this decision.

Mr. Kendrick wants to go with the plan now and not exceed $2.7 and hopefully go lower.

Mr. Moore called for a vote on the motion as stated. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 6:52 P.M. Mr. Moore recessed the meeting to the Public Hearing.

Mr. Moore reconvened the Board of Supervisors meeting at 7:20 P.M.

PRESENT: Mr. Moore, Mr. Kendrick, Mr. Carwile, and Mr. Carter.
Mr. Hancock in Planning Commission Meeting

Mr. Moore informed the Board that there were several committee appointments to be made:

(a) Board of Assessors: Mr. Earl Pickett has agreed to serve on this Committee as the representative from the Cloverhill District.

Mr. Kendrick made a motion seconded by Mr. Carwile to appoint Mr. Earl Pickett to the Board of Assessors as the representative from the Cloverhill District. VOTE: Mr. Moore aye, Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye. Mr. Hancock in Planning

Commission Meeting.

(b) CVAAA Board of Directors: This appointee has to be from the Board of Supervisors. Some discussion and questions.
Mr. Carter volunteered to serve in this capacity.

(c) Library Board: The Library Board needs an appointment from the Wreck Island District. Cliff Rhodenizer has been asked to serve in this capacity, providing there is no conflict with the School Board.
Mr. Carroll was instructed to contact Mr. Rhodenizer as to this appointment.

Mr. Moore then explained there were several Supplemental Appropriations Requests:

a) The Sheriff is requesting a supplemental appropriation in the amount of $2,500 to pay Deputy Harley Schaefer for his sick leave upon his retirement. This is in accordance with the Board's Policy.

Mr. Carwile made a motion seconded by Mr. Kendrick to appropriate $2,500 to the Sheriff's Department to cover accumulated sick leave for Harley Schaefer upon retirement. VOTE: Mr. Moore, aye; Mr. Kendrick, aye, Mr. Carwile, aye; and Mr. Carter, aye. Mr. Hancock in Planning Commission Meeting.

b) The Sheriff's Department is requesting an appropriation of $2,130.00 to cover a change order related to the new addition. The Board has already approved this change.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate $2,130.00 to the Sheriff's Department to cover costs related to a change order on the new addition. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; Mr. Carter, aye. Mr. Hancock in Planning Commission Meeting.

c) Mr. Carroll is requesting an appropriation of $5,126.01 to pay Craddock-Cunningham for Architectural services involved in the Courthouse project.

Mr. Kendrick made a motion seconded by Mr. Carter to appropriate $5,126.01 to pay Craddock-Cunningham for Architectural services. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye. Mr. Hancock in Planning Commission Meeting.

d) Mr. Brickhill is requesting an appropriation from the Law Library Fund in the amount of $162.38 to cover:

Lexis Publishing	$63.88
West Group	98.50
TOTAL	$162.38

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $162.38 from the Law Library Fund to cover cost of Legal Books.

Mr. Mays is requesting $571.00 to cover expenses for himself and one deputy to attend the LGOC and Valeco Conference in Charlottesville in August.

Mr. Carter made a motion seconded by Mr. Kendrick to approve Mr. Mays' request for himself and one deputy to attend the Conferences in Charlottesville in August and cover expenses in the amount

of $571.00. VOTE: Mr. Moore, aye; Mr. Kendick, aye; Mr. Carwile, aye; Mr. Carter, aye. Mr. Hancock in Planning Commission Meeting.

Mr. Carter questioned whether or not these convention/education requests could be covered in the Budget.

Mr. Carroll informed Mr. Carter that these expenses are not included in each Departments Budget at the beginning of the fiscal year. The Board previously had requested that these items be brought before the Board for approval prior to attending such conferences.

Mr. Kendrick stated that this type of expenditure should be included in the Budget by each department head and not acted on each and every time. Maybe the Board should look into this at a later date.

The VACo Annual Convention will be held at the Homestead on November 12-14. Any Board member wishing to attend, should contact Mr. Carroll within the next few days.

The Governor is giving state employees July 3rd off as part of the July 4th Holiday. In the past the Board has followed the state's holiday policy. Does the Board wish to declare the 3rd of July a holiday and move the Public Hearing and Board of Supervisors meeting to another date?

On a motion by Mr. Carwile seconded by Mr. Kendrick the Board granted County employees July 3rd and July 4th as Holidays in accordance with the Governor's State Holiday Policy. The Board also voted to change the Board Meeting and Public Hearing from July 3rd to July 10th. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye. Mr. Hancock still in Planning Commission meeting.

The Virginia Workforce Investment Act Unit has written requesting that public officials provide them with input as to whether the state should implement a hold harmless clause for the WIA program. What is the Board's feeling on this?.

Mr. Carter made a motion seconded by Mr. Kendrick to oppose the Hold Harmless Clause and instructed Mr. Carroll to write a letter stating the Board's stance on this issue. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye. Mr. Hancock in Planning Commission Meeting.

Mr. Carroll reminded the Board that the proposal by GTE to improve the County's phone service will expire July 1,2000. He is requesting permission to proceed with the installation of a new phone system for the County offices.

Mr. Kendrick made a motion seconded by Mr. Carwile to allow GTE to install a new phone system for the County offices. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr.Carter, aye. Mr. Hancock in Planning Commission Meeting.

The Extension Agency is requesting a supplemental appropriation of $127.86 to 8303-5203 to cover

telephone service at the extension office.

Mr. Carroll was instructed to check with the Extension Office as to why this was not in the budget.

The Sheriff's Office is requesting a line item transfer of $10,725.00 from 3103-1003 to 3102-5413. Lengthy discussion followed as to what this item was for. Mr. Carroll will ask the Sheriff for an explanation.

The Sheriff's Office is requesting a line item transfer of $3,922.00 from 3102-1003 to 3102-1001 to cover raise as approved by the Compensation Board.

Mr. Carter made a motion seconded by Mr. Kendrick to approve line item transfer from 3102-1003 to 3102-1001 in the amount of $3,922.00 to cover raise approved by Compensation Board.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye. Mr. Hancock still out in Planning Commission meeting.

At 7:51 p.m. Mr. Moore called for a short recess.

At 8:37 p.m. Mr. Moore reconvened the Board of Supervisors meeting with all members present.

Mr. Moore called for the next item on the Agenda, Supervisor's Concerns.

Mr. Carter had a several items of concern:

(1) Telephone bills. Why were we delinquent at times in paying this bill. State and Local governments used to have some exempt status on some lines being late. At home you get your bill and you have 15 days to pay it or be charged interest or late charges. With our County bill, the bill is received in Administration Office, then broken down and sent to each Department for approval; then posted for payment and approval by Board. This process could take as long as 15 days or longer. We have only paid late charges on two lines; Clerk, Circuit Court and Registrar, rest were exempt. No longer will there be an exempt status. The payment of the telephone bill needs to be rectified, if not, we will be subjected to late charges. He suggest that we let Mrs. Huddleston check the bills, if any abnormal charges, refer to Department Head. He thinks we should delegate Mrs. Huddleston to cut the check for the telephone bill prior to Board Meeting. Policy needs to be written regarding this prior to new fiscal year.

(2) Charging expenses to the right budget line item. Eliminating line item transfers to some extent. By consensus, the Board instructed Mr. Carroll to write letter to Department Heads and Constitutional Officers regarding this issue.

(3) Car insurance. Does this go out to competitive bids. When was the last time this was done?

(4) Sports Complex: We need to find out the status on the Sports Complex Committee. Are they meeting regularly and are they getting things done? He has had questions from concerned citizens. Mr. Carroll will contact the Chairman of this committee and have them report to the next Board meeting on July 17, 2000.

Mr. Kendrick stated he had received a number of calls regarding cellular towers being placed in the

County. Mr. Kendrick would like Mr. Caldwell or someone to contact Bedford County and look into their policy regarding cellular towers.

Mr. Moore called for other Supervisor concerns. Hearing none, Mr. Moore asked for action on the next item on the agenda - Adoption of the Budget.

There were some questions regarding this item and by consensus of the Board, it was agreed to look at this tomorrow night.

Mr. Carroll is requesting a Line Item Transfer $28,458.31 to cover accrued leave for Mrs. Ferguson and Mrs. Carter who have resigned.

$24,156.20 from 8105-6005 to 1201-1001
1,847.95 from 8105-6005 to 1201-2001
2,279.76 from 8105-6005 to 4204-1001
174.40 from 8105-6005 to 4204-2001
$28,458.31 Total

Mr. Kendrick made a motion seconded by Mr. Carter to approve line item transfer in the amount of $28,458.31 to cover accrued leave for Mrs. Ferguson and Mrs. Carter upon their resignations. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore informed the Board that there was no place in the Sheriff's Department to hang the portrait of Retired Sheriff, Gene Richardson. The Library was suggested as an alternative. Mrs. Richardson had really wanted to place this in the Courtroom. Mr. Carwile will follow up on this.

Mr. Carroll informed the Board that he has talked with Davenport & Co. LLC out of Richmond about coming in and looking at the Budget, Finances and Debt Service for the future years, and give us a fluid number. They could work with the Commissioner of Revenue, the Treasurer and also the School to try to figure out where we are on some things and maybe make some decisions on how to restructure some debt, etc. They have given us a price not to exceed $7,500. Mr. Carroll asks the Board to give this some consideration.

Mr. Kendrick made a motion seconded by Mr. Carwile to accept Davenport & Co. LLC's proposal to look at the County's financial situation at a price not to exceed $7,500. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Carroll presented petition 00-430 for Pearl & Edward Walker. The Walkers are requesting a Conditional Use Permit to allow a Home Occupation (Tire mounting and balancing). Property is Tax Map No. 102-A-18 and is located on Route 460 between Route 628 and Route 620 and is zoned A-1. The Planning Commission recommends approval of this petition but limits the size of the building to 24' x 24'.

Mr. Hancock made a motion seconded by Mr. Carwile to approve petition 00-430 for Pearl and Edward Walker to allow 24' x 24' building to house tire mounting and balancing business. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1344(A)1 - personnel matter.

At 9:25 p.m. Mr. Carter made a motion seconded by Mr. Hancock to enter into closed session to discuss a legal and personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

On a motion by Mr. Carter at 10:55 p.m. seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2,1-344, of the Code of Virginia, 1950, as amended, requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for actions from the closed session.

Mr. Carter made a motion seconded by Mr. Carwile to hire Mrs. Phyllis Smith in a temporary capacity to fill the vacancy created by the resignation of Ms. Amy Poole, at a rate of $10.00 per hour, four (4) days per week, 8 hours per day. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Carter made a motion seconded by Mr. Carwile to appoint Ms. Alice Rochefeller as Assistant Landfill Supervisor at a salary of $18,000 per year with a satisfactory performance evaluation within one (1) year. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter made a motion seconded by Mr. Hancock to appoint Sands, Anderson, Marks and Miller as Interim County Attorneys. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter made a motion seconded by Mr. Kendrick to appoint Ms. Mary Ann Freshwater as Project Director for the Victim/Witness Advocate Program effective immediately subject to her approval, in lieu of her prior position. Mrs. Freshwater will report to the Project Administrator (County Administrator) and be paid back wages for her previous position. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, abstain; Mr. Carwile, nay; and Mr. Carter, aye.

Mr. Kendrick made a motion seconded by Mr. Carter to have Mr. Carroll, Acting County Administrator send a letter to all persons employed under a Grant, stating that they are considered as County Employees. Along with this letter he is to a copy of the County Personnel Policy and asking the employee to sign the letter, agreeing to follow the County Personnel Policy, and return it to the County Administrator's Office, if they do not, the County will retract the Grant. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 11:05 p.m. Mr. Carter made a motion seconded by Mr. Kendrick to recess until 6:00 p.m. June 20, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

A Public Hearing was held on June 19, 2000 at 7:00 P.M. by the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals, at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

PRESENT: (Planning Commission)
Robert Johnson
Wayne Lewis
James Sefter
Kevin O'Brien
Calvin Tanner
Jesse Hancock

ABSENT: (Planning Commission)
Al Sears, Chairman
C. A. Moore

Elizabeth Edwards
W. H. Carson

PRESENT: (Board of Zoning Appeals)
Dale Campbell
James Cheatham
Cliff Harvey

ABSENT: (Board of Zoning Appeals)
Matt Lair, Chairman
Elizabeth Edwards

ALSO PRESENT:
Andy Carroll - Acting County Administrator
Bill Caldwell, Clerk - Planning Commission

At 7:02 A.M. Mr. Moore opened the Public Hearing and stated the purpose of the Public Hearing was to receive comments on petitions submitted for Variances to the Zoning Ordinance and stated the procedure for addressing comments.

Mr. Moore asked Mr. Caldwell to read the first petition.

Petition No. 00-429 - Walter Litchford - Variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to side yard setback. Property is Tax Map Parcel No. 37-A-24A zoned A-1 and is located on Route 660 between Route 661 and Route 26.

Mr. Moore asked for comments in favor of this petition.

Mr. Litchford came forward and spoke in favor of this petition and stated he would answer any questions anyone had regarding his petition.

Mr. Moore asked for comments against this petition.

Hearing none, he asked Mr. Caldwell to read the next petition.

Petition No. 00-430 - Pearl & Edward Walker - Conditional Use Permit to allow Home Occupation of tire mounting and balancing. Property is Tax Map No. 102-A-18 and is located on Route 460 between Route 628 and Route 620. Property is zoned A-1.

Mr. Moore called for comments for this petition.

Mr. & Mrs. Walker came forward and stated they would be glad to answer any questions pertaining to this petition.

Mr. Moore called for comments against the petition.

Hearing none, Mr. Moore requested Mr. Caldwell read the next petition.

Petition No. 00-431 - Phillip & Jeannie Yuhas - Conditional Use Permit to allow Home Occupation (Garden Center for selling plants) in accessory building. Property is Tax Map No. 111-1-6 located on Route 47 between Route 725 and Route 1101. Property is zoned A-1.

Mr. Moore called for comments.

Mr. Richard Williams came forward and stated he did not know enough about the Yuhas' plans to speak for or against it. Mr. Williams feels they have a residential neighborhood and would like to keep it that way.

Mr. Moore asked for other comments. Hearing none, he asked Mr. Caldwell to read the next petition.

Petition No. 00-432 - Thomas W. Oliver - Conditional Use Permit to allow additional dwelling on single lot. Property is Tax Map No. 27-1-B and is zoned A-1. Property is located on Route 663 between Route 843 and Route 665.

Mr. Moore called for comments for this petition.

Mr. Oliver came forward and stated they would like to place a mobile home on their property for their daughter to live in due to health reasons.

Mr. Moore called for any additional comments on this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Petition No. 00-433 - SBA, Inc. - Conditional Use Permit to allow 300 ft. tower on property located on Route 622 between Route 620 and Route 633. Property is zoned A-1 and is part of Tax Map No. 100-A-52 and 90-A-100.

Mr. Moore called for comments.

Ms. Irma Woody came forward and gave her address as Route 1, Box 71, Pamplin, Va. Ms. Woody disagrees with the location of this tower on Route 622. She is not in favor of SBA placing a tower at this location.

Mr. Moore called for additional comments.

Hearing none he asked Mr. Caldwell to read the last petition.

Petition No. 00-434 - Dennis L. Boone - Conditional Zone Tax Map Parcel No. 81-2-2 from A-1 to B-1 to allow wood craft shop. Property is located on Route 663 between Route 26 and Route 843.

Mr. Moore called for comments.

Hearing none, Mr. Moore closed the Public Hearing at 7:14 P.M.

Russell H. Moore, Chairman

On June 29, 2000 the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA at 6:00 P.M.

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

PRESENT: (School Board)
Earl Pickett - Chairman
Lannis Selz
Cliff Rhodenizer
R. W. Mitchell
Ms. Martha Pankey

ALSO PRESENT: Andy Carroll - Acting County Administrator
Billy Perrow - School Administration

Mr. Moore called the meeting to order at 6:15 P. M. and stated the purpose of the meeting was to discuss the FY 2001 Budget.

Mr. Moore then invited the School Board Members to join the Board in discussing the FY2001 School Budget.

Mr. Moore explained to the School Board that the Board of Supervisors would like to hear from them regarding where they stood on the revisions to their Budget.

There was much discussion regarding the minimum amount of funding from the locality and projects involving the school. Also discussed were the State matching funds.

There was a lot of discussion about how both Boards could work together to be able to obtain all the things we need to have done, like the elementary school, the Courthouse and the new landfill cell. We cannot get everything done at one time without putting a terrific burden on the taxpayers of the

County.

At 7:00 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to accept the School Budget of $15,045,794. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, nay and Mr. Carter, aye.

At 7:05 P.M. the School Board adjourned from the meeting and the Board of Supervisors took a short recess. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 7:16 P. M. Mr. Moore reconvened the Supervisors meeting.

Mr. Carroll explained the following amendments to the Budget:

Computer Upgrade AS400 - 1101-7002 + $41,427
Telephone System Upgrade - 1101-7001 + $13,735
Drug Investigation Fund - Sheriff's Office - 3102-3010 + $4,000
Adjustment to Building Inspector's Salary - 3401 + $1442
Adjustment to Landfill Personnel Salary - 4204 + $13,660
Deletion of Summer Youth Program - 8103 -$ 25,625
Addition of Planner's Salary - 8104 + $10,042
Adjustment to Town/County Sewer Project - 8105-6004 - $58,681

Mr. Carroll informed the Board that these amendments/changes do not effect the total amount of the Budget.

Discussion followed.

Mr. Kendrick made a motion seconded by Mr. Carwile to accept the changes to the Budget as amended. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for a motion to adopt the FY2001 Budget as amended.

Mr. Kendrick made a motion seconded by Mr. Carter to accept the FY2001 Budget in the amount of $ 23,579,364 as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll will have copies of the Approved Budget run off and put in Binders for the Board Members.

The Board by consensus instructed Mr. Carroll to advertise the County Administrator's Position.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 7:45 P.M. on a motion by Mr. Carter seconded by Mr. Hancock the Board entered into closed

session to discuss a legal and personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter, seconded by Mr. Kendrick at 8:20 P.M. it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 8:23 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On July 10, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors held a public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Absent: Jerry Kendrick - Appomattox River District

Also Present: Andy Carroll - Acting County Administrator

At 6:00 p.m. Mr. Moore opened the Public Hearing and stated the purpose of the hearing was to

receive public comments on the proposed Amendments to the Appomattox County Code. Mr. Moore then read the following changes and/or additions to the County Code currently under consideration by the Board of Supervisors:

a) Amend Section 51-3 Building Construction Fee Schedule
b) Amend Section 139-7 Solid Waste Fee Schedule
c) Amend Chapter 170 for the addition of a Planned Industrial District (M-2) zoning district.
d) Amend Section 147-13.C.2 of the Code to increase the maximum annual real estate tax exemption from $200 to $350 for elderly and disabled persons.

(Entire proposed changes available in the County Administrator's Office)
Mr. Moore called for comments.

Hearing none, Mr. Moore closed the public hearing at 6:03.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held it's regular meeting on July 10, 2000 at the Appomattox County Courthouse, Courthouse Square, Court Street, following the 6:00 P.M. Public Hearing.

Present: Russell H. Moore, Chairman - Piney Mountain District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Absent: Jerry Kendrick - Appomattox River District

Also Present: Andy Carroll - Acting County Administrator

Mr. Moore called the meeting to order at 6:05 P.M and asked Mr. Brain Knopp of the Lynchburg Regional Chamber of Commerce to address the Board.

Mr. Knopp introduced himself and his purpose for being at the meeting. Mr. Knopp stated he wanted to update everyone on some of their regional tourism efforts. Last year they formed a regional tourism committee They are promoting a Regional Heritage Program that not only promotes the historic sites but also the natural beauty and cultural events in the region. Their goal is to attract more visitors to Central Virginia. Mr. Knopp discussed the 2000 marketing plan, (copies were given to the Board members). Mr. Knopp discussed ads that had been developed to promote the region. They have developed a brochure for African American History Legacy and Heritage. They want to promote the African American Legacy, the Civil War Legacy as well the Blue Ridge Parkway and it's natural beauty. They have recently received grants to help develop these attractions.

They are beginning to work on the 2001 Marketing Plan and Mr. Knopp asked the Board to review

the 2000 Plan and make suggestions for the 2001 plan. Mr. Knopp offered to answer any questions regarding the Chamber's work.

There was much discussion and questions regarding the Regional Tourism efforts.

Mr. Moore thanked Mr. Knopp for his presentation.

Mr. Moore stated that Ms. Barbara Bennett, who was scheduled to speak to the Board regarding Regional Renaissance, had been delayed.

Mr. Moore asked for Supervisor's Concerns.

Hearing none, Mr. Moore moved to the next item on the agenda, Approval of Bills.

Mr. Carter had some concerns regarding the bills. There is a part-time salary paid to the Emergency Services Coordinator charged to the Miscellaneous suffix. Mr. Carter would like to see this item moved to Part-Time Salaries.

Mr. Carter made motion seconded by Mr. Hancock to move Emergency Services Coordinator's salary from Miscellaneous to Part-time Salaries. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter then made a motion seconded by Mr. Hancock to approval the bills as presented. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Board needs to appoint a representative to the Central Virginia Disability Service Board to fill the unexpired term of Aileen Ferguson. This term will expire October 31, 2001. Does anyone wish to suggest a replacement to this Board. This item was tabled until another meeting.

Mr. Moore explained that the Planning Commission has recommended approval of the petitions heard on June 19, 2000:

Mr. Hancock made a motion seconded by Mr. Carter to approve petitions #00-431 - Phillip & Jeannie Yuhas; petition #00-432 - Thomas W. Oliver; petition #00-433 - SBA Inc; petition #00-434- Dennis L. Boone and petition #00-425 - Courtland Realty as recommended by the Planning Commission. Petition #00-430 - Edward & Pearl Walker was approved on 6-19-2000. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Moore then presented the following supplemental appropriations to the Board:

a) Craddock-Cunningham Architectural Partners: $2,133.33 from the IDA Bond account to General Revenue Fund for fees related to Sheriff's Department addition.

Mr. Carter made a motion seconded by Mr. Carwile to approve the supplemental appropriation to Craddock-Cunningham Architectural Partners in the amount of $2,133.33. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

b) Commonwealth's Attorney: $5,000 to 2201-1003 & 2001 for part-time personnel in the Commonwealth's Attorney's Office as reflected in the Compensation Board letter.

Mr. Carwile made a motion seconded by Mr. Carter to approve the supplemental appropriation to the Commonwealth's Attorney - 2001-1003 & 2001 in the amount of $5,000 to cover salary for part-time personnel as approved by the Compensation Board. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

c) Library: $519.13 to the Library's Summer Reading program. This amount reflects donations already received for this program.

Mr. Hancock made a motion seconded by Mr. Carter to approve the supplemental appropriation in the amount of $519.13 to the Library's Summer Reading program. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore next presented a Line Item Transfer to the Sheriff's Department of $208.00 from 3103-1003 Part-time salaries to 3100-1003 overtime.

Mr. Carter made a motion seconded by Mr. Hancock to approve line item transfer of $208.00 from 3103-1003 to 3100-1003. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore next presented the following Board Appropriations for the Board's consideration:

a) Craddock-Cunningham Architectural Partners: $3,032.70 from 1101-3002 to pay fees associated with New Courthouse. (These expenses incurred prior to Board's decision to Renovate the present Courthouse).

Mr. Carter made a motion seconded by Mr. Hancock to approve an appropriation of $3,032.70 from 1101-3002 to pay Craddock-Cunningham Architectural Partners for work done in connection to the New Courthouse. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

b) Pamplin Fire Department: $40,000 from IDA Bond Account to General Revenue Fund to pay for the contribution to their building.

Mr. Carwile made a motion seconded by Mr. Carter to appropriate $40,000 from the IDA Bond Account to the General Revenue Fund to pay Pamplin Fire Department contribution on new building. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

c) Education/Convention Expenses: Mr. Carroll is requesting permission to attend the LGOC in Charlottesville, VA in August. Need appropriation of $300.00 to cover expenses.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate $300.00 to cover expenses of Mr. Carroll attending the LGOC. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

VDOT will hold a public hearing on July 26 to hear comments concerning the Six Year Plan, pertaining to primary or urban road and public transportation. Mr. Carwile stated he felt the Board should consider this, and if anyone came up with a concern, contact Mr. Carroll and he will attend this meeting.

Mr. Moore requested Ms. Barbara Bennett, Regional Renaissance to come forward and address the Board.

Ms. Bennett talked about the stages that the Regional Renaissance has gone through. She passed out a presentation for the Board to review. 30% of the people who voted have volunteered to work on the programs. Ms. Bennett explained the method of collecting the votes, the demographics of the type of people who voted, - men and women and the ethnic backgrounds. 20% of the voters were newcomers to the region. Sports/recreation and arts/cultural events were by far the more important issues. Ms. Bennett invited governments, individuals, volunteers, business to take on any of these projects. Also all of their findings are available on the Website.

Ms. Bennett gave Mr. Moore the report of the Regional Renaissance process from beginning to end, including specific Appomattox information.

Mr. Moore thanked Ms. Bennett for all her hard work

Mr. Carter stated his original disbelief in the Regional Renaissance effort and current pleasure with its success. He also does not understand why Amherst County has it's fall festival the same dates that Appomattox has its Railroad Festival.

Mr. Carwile and Mr. Hancock complimented Ms. Bennett on a job well done.

Mr. Moore thanked and excused Ms. Bennett.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matter.

At 7:22 P.M. Mr. Carwile made a motion seconded by Mr. Carter to enter into closed session to discuss a legal and personnel matter. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 7:55 P.M. on a motion by Mr. Carwile seconded by Mr. Carter it was resolved that the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carwile seconded by Mr. Carter the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of

Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for action from the executive session.

Mr. Carter made a motion seconded by Mr. Carwile to pay Mr. Luther Glenn for the remainder of his accumulated leave. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then explained the Board had several additional information items to consider.

1.) DEQ has released a list of landfill closure dates recommended to the General Assembly. The Appomattox County landfill current trench is scheduled for closure in 2005.
2.) The County received a good report on it's last landfill inspection.
3.) The Town/County Website current report.
4.) Rental Assistance Report for the month of June 2000.

Mr. Carroll presented additional supplemental appropriations from the School Board:

a) $5,346.50 from Trigon stock proceeds. This closes out this account.
b) $ 407.50 from the ACHS Athletic Fund for bill related to improvements.
c) $ 82,721.47 from the School Capital Improvement Fund.
d) $103,300 from the School Capital Improvement Fund to cover architectural services for design on the new elementary school.

Discussion followed.

Mr. Carwile made a motion seconded by Mr. Carter to approve the appropriation of $103,300 for architectural services. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter made a motion seconded by Mr. Hancock to approve the appropriations of $5,346.50 from Trigon stock proceeds; $407.50 from the ACHS Athletic Fund and $82,721.47 to the School Capital Improvement Fund. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carwile asked to revisit the Supervisor's Concerns. He is concerned about the number of calls he is receiving regarding towers being placed in the County. Would like to have citizens input and have the Board of Supervisors think about this matter.

At 8:20 p.m. Mr. Carter made a motion seconded by Mr. Hancock to adjourn. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held it's regular meeting at 6:00 P.M. on July 17, 2000 at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - Acting County Administrator

At 6:00 p.m. Mr. Moore called the meeting to order and asked Mr. Hancock to give the invocation.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 6:03 Mr. Carter made a motion seconded by Mr. Kendrick to enter into closed session to discuss a legal issue and a personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 6:45 p.m. seconded by Mr. Kendrick it was resolved that the Board of Supervisors return to regular session: VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for action from the closed session.

Mr. Carter made a motion seconded by Mr. Carwile to accept an agreement between the Board of Supervisors and Mr. W. M. Caldwell, in the capacity as an independent contractor. This agreement shall be from August 1, 2000 thru December 31, 2000. The monetary figure should not exceed $800 per month. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for approval of the bills.

There was some discussion to eliminate the miscellaneous suffix for all budget categories

Mr. Carter made a motion seconded by Mr. Carwile to approve bills as submitted and eliminate the miscellaneous suffix from all budget categories. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then called for Supervisor's Concerns:

Mr. Kendrick stated he has had a question since the beginning of the Budget work sessions. He would like to know how the composite index of $270,000 is computed. He would also like to be able to understand how Appomattox County could be viewed by the State as being in a better financial position than we were last year. He does not feel the County is.

Mr. Kendrick made a motion seconded by Mr. Carwile to have Mr. Carroll review the composite index and give a report at the next meeting. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

There was some discussion concerning the composite index and how it was calculated and the effects of the composite index change.

Mr. Kendrick would like to have Davenport focus on three (3) main issues:

1) Debt reduction
2) Reduce taxes after assessment in 2002 to .65 cents if possible but no greater than .70 cents.
3) Set projects in motion and how they should be managed.

Mr. Kendrick made a motion seconded by Mr. Carter to have Davenport make a financial analysis based on these three (3) priorities. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Kendrick would like for the Board to address the Administrative items under a Consensus Agenda (looking at them all as one item) but retaining the right to pull out any individual item that may be questionable.

Mr. Kendrick made a motion seconded by Mr. Hancock to address Administrative Items as a Consensus Agenda instead of each item individually. VOTE: Mr. Moore, aye; Mr. Kendrick, aye;

Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 6:57 p.m. the Board recessed to the Public Hearing.

At 7:32 P.M. Mr. Moore reconvened the Board of Supervisors Meeting with Mr. Jesse Hancock being in the Planning Commission Meeting.

Mr. Moore stated that when the Board recessed to the Public Hearing, Supervisor Concerns were being heard. Does any one have any thing else to discuss?

Mr. Carter suggested that the Cable provider be contacted and asked to meet with the Board to present an update on services. He has had several complaints over the last couple of weeks regarding poor service. The last report, according to his records was in 1999 whereas they were going to institute a fiber optics line starting January, thereby giving the viewers in Appomattox County better reception and more channels. Right now their service has gone down. We need an updated report.

Mr. Carter made a motion seconded by Mr. Kendrick to contact the Cable provided and have them make a report to the Board on their present services. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye; Mr. Hancock in Planning Commission session.

Mr. Kendrick is concerned with cellular towers. Is everyone or anyone wishing to operate a cellular phone company going to be allowed to place a tower in the County, or are we going to limit one tower for every three (3) miles along the Route 460 corridor, possibly Route 24 and other places or are we going to have cellular towers going up everywhere. Mr. Kendrick would like the County Administrator's office to research this and give a report. He would like to put together a plan for the development of these towers within the County, maybe the planner could pull this information together.

Mr. Carwile echoed Mr. Kendrick's concerns. There is no tax base from these towers. The landowner is leasing this land but the County is not receiving any tax base.

Mr. Carroll asked the Board for a time frame to get this information back to the Board.

The Board next addressed Administrative Items:

1.) Does the Board wish to amend Section 147-13.C.2 of the County Code to increase the maximum annual exception on any one (1) property from $200 to $350? Public Hearing held on July 10th without comments.

Mr. Kendrick made a motion seconded by Mr. Carter to amend County Code Section 147-13.C.2 to increase maximum annual exception on any one (1) property from $200 to $350 for the elderly and disabled. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye Mr. Hancock in Planning Commission Session.

2.) Building and Housing Fee Schedules: Amend Code Section 51.3 as presented in Public Hearing on July 10, 2000.

Mr. Carter made a motion seconded by Mr. Carwile to tabled this until the August 7th meeting. Mr. Carroll will do a projection on these figures. VOTE: Mr. Moore, aye Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye; Mr. Hancock in Planning Commission Session.

3.) Landfill Fee Schedule: Amend Code Section 130.7 Fee Schedule as presented at Public Hearing on July 10, 2000.

Mr. Carter made a motion seconded by Mr. Kendrick to amend Landfill Fee Schedule as presented, effective August 1, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye Mr. Hancock in Planning Commission Session.

4.) Planned Industrial Park District Zoning: Add M-2 Planned Industrial Park district zoning classifications as presented at Public hearing. Mr. Carroll would like to recommend removing the telecommunications towers and facilities from the permitted uses to the Conditional Use List.

Mr.Kendrick recommended tabling this issue until Davenport reviews all assets in County to see if they should be sold to finance any future projects.

Discussion followed with Mr. Carroll stating that this zoning does not only apply to the Industrial Park but any other piece of property in the County that fits this criteria.

This item was tabled until August 7, 2000.

5.) Paradise Ministries Baptist Church is requesting the use of Courtland Field for a fund raising event.

By consensus the Board decided to allow Paradise Ministries Baptist Church the use of Courtland Field for a fund raising event providing they obtain a Certificate of Insurance, the hours of operation, clean up, parking etc.

6.) Mr. Fred Underwood has approached the Board with the concept of forming a Citizens Forum Newsletter.

The Board decided they need more information before acting on this. The Board would not sanction this type of newsletter.

Mr. Hancock rejoined the Board of Supervisors at 8:12 P.M.

7.) Reception for Mr. Charles Church will be held on July 31, 2000 from 4 to 6 p.m. at the Lynchburg City Hall. Mr. Carroll will RSVP for any Board members that plan to attend. Mr. Moore plans to attend. Mr.Carwile not sure; Mr. Hancock will let him know.

8.) VDOT will be holding a Public hearing on July 26th. Does anyone have any issues they would like Mr. Carroll to convey to VDOT at this time.

Mr. Moore is concerned about the increase in heavy truck traffic and safety on Route 26.
Mr.Kendrick would like to see a stop light at the intersection in front of Krogers at the Shoppes of Appomattox along Route 460.

9.) The Board next considered Supplemental Appropriations:

(A) The Animal Warden is requesting $50.00 to 3501-7001 Equipment.
Donation received..

(B) The Sheriff's Department is requesting $722.60 to 3102-5408 as a result of accident.

(C) Sheriff's Department is requesting $1,712.88 to 3100-1002 and
$159.12 to 3100-2001.
Funds received from Local Law Enforcement Block Grant.

(D) Maintenance Department is requesting $35.00 to 4302-3002.
Money received as a result of damage to animal pound.

(E) Landfill is requesting $5,491.20 to 4204-1001.
Amount needed to pay Luther Glenn for accumulated Leave.

Mr. Carwile made a motion seconded by Mr. Kendrick to approve supplemental appropriations 9A thru 9E as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore next addressed the Board Appropriations:

(A) Please appropriate $172,864.00 from 8105-6004 to the Town of Appomattox for the first semi-annual payment on the sewer treatment plant expansion.

(B) Please appropriate $172,864.00 to the general revenue fund to pay the first seme-annual payment on the sewer plant expansion.

(C) Please appropriate $16,507.20 from 3401-1007 to pay Mr. Caldwell for his accumulated leave upon his retirement.

On a motion by Mr. Carter seconded by Mr. Kendrick to approve Board Appropriations A - C as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mrs. Belter has asked the Board to approve her request to carry forward the balances as of June 30, 2000 to the designated funds listed below:

Comprehensive Services, Administrative	$ 20,819.41
Library Fund	1,203.92
Sports Complex	400.00
Law Library Fund	2,655.29
Ballpark Fund	1,212.69
Capitol Improvement Fund	1,116,372.94
Courthouse Maintenance Fund	26,557.68

Mr. Carwile made a motion seconded by Mr. Carter to approve the request for the balance carryovers as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore next explained the Information Items were self explanatory and the Board did not have to vote on these.

Mr. Carter discussed the information presented by JLARC regarding the funding of elementary and secondary education with a focus on the local expenditures that exceed the Standards of Quality.

Mr. Moore reminded the other Board Members of upcoming meetings on July 20 at 6:00 P.M. with the School Board and August 3rd at 6:00 p.m. with Davenport at the Courthouse.

Mr. Moore then presented additional items for consideration:

1. Sheriff's Department requests an appropriation of $61,612.63 from the IDA Bond Account to the General Revenue Fund to pay for new vehicles. The vehicles were included in the Budget.
2. Sheriff's Department requests an appropriation of $75,863.00 from the IDA Bond Account to the General Revenue Fund to pay for the Sheriff's Addition.
3. Sheriff's Department requests an appropriation of $75,863.00 from 4302-7009 to pay for work completed on the Sheriff's addition. (Already budgeted)

Mr. Carter made a motion seconded by Mr. Kendrick to approrpriate funds for items 1 thru 3 as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 8:22 P.M. Mr. Kendrick made a motion seconded Mr. Carter to adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On July 17, 2000 at 7:00 p.m. the Appomattox County Board of Supervisors, the Appomattox Town Council, and the Appomattox County Planning Commission held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Present: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

Present: (Planning Commission)
Al Sears, Chairman
Wayne Lewis
Kevin O'Brien
Robert Johnson

Absent: (Planning Commission)
C. A. Moore
Jim Sefter
Calvin Tanner
Elizabeth Edwards
W. H. Carson

Also Present: Andy Carroll - Acting County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Moore opened the Public Hearing at 7:05 P.M. and stated the purpose of the Public Hearing was to receive comments on Petitions requesting variances/changes to the County Zoning Code. Mr. Moore stated Mr. Caldwell, Clerk to the Planning Commission would read each petition and anyone having comments should come forward and address the Board and Planning Commission.

Mr. Moore then asked Mr. Caldwell to read the first petition:

Mr. Caldwell stated the first petition was:
00-435 - SBA, Inc. - Conditional Use Permit to allow 199 ft. tower on property located on Route 1022 between Business 460 and Dead-end. Property is zoned R-2 and is Tax Map #64A6-A-88 and 89.

Mr. Moore called for comments for this petition.

Mr. Moore then called for comments against this petition.

Mrs. Dorothy Wooten came forward stating she owns adjoining property and feel this tower would be an invasion of her property.
Mr. Eric Morriset who works for SBA came forward. These towers are monopole structure, sensitive to locating towers 199 ft tall, with no light at night. Minimal number of trees will be disturbed and this is an excellent site for a tower. SBA is strictly a tower company, not a telephone company.

Mr. Carwile and Mr. Kendrick had several questions for Mr. Morriset.

Mr. Moore then had Mr. Caldwell read the next petition.

Mr. Caldwell stated **Petition #00-436** for Jimmy Torrence has been withdrawn.

Mr. Caldwell read the next petition:
#00-437 for Williams Communications, Inc. - Conditional Use Permit for Public Utilities (addition to regeneration equipment). Property is Tax Map No. 25-A-2A and is located on Route 691 between Route 643 and Route 1047. Property is zoned M-1.

Mr. Moore asked for comments for this petition.

Mr. Mike Rosset of Charlotte stated they were requesting permission to add to the present facility.

Mr. Moore called for comments against this petition.

Mr. Moore had Mr. Caldwell read the next petition:
#00-438 - Robert Greep - Conditional Use Permit to allow additional dwelling on single lot. Property is Tax Map #24-1-67A and is zoned A-1. Property is located on Route 605 between Route

721 and Route 624.

Mr. Moore called for comments for or against this petition.

Hearing none, Mr. Moore called for the next petition to be read:
#00-439 - William Hudson - Conditional Use Permit to allow additional dwelling on single lot. Property is Tax Map #15-1-17 and is zoned A-1. Property is located on Route 605 between Route 624 and Route 667.

Mr. Moore called for comments for or against this petition.

Hearing none, Mr. Moore asked Mr. Caldwell to read the last petition.
#00-440 - James and Scheli Seay - Conditional Use Permit to allow additional dwelling on single lot. Property is part of Tax Map #19-A-37 and 38 and is zoned A-1. Property is located on Route 686 between Route 615 and Route 663.

Mr. Moore called for comments for or against this petition.

Mr. James Seay came forward and state he wanted to place a single wide mobile home on this lot for his mother to live in. This home would not be visible from the road.

At 7:25 p.m. Mr. Moore declared the Public Hearing closed.

Russell H. Moore, Chairman

At 6:00 P. M. on July 20, 2000 the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at the Appomattox County School Board Administration Building, School Board Meeting Room, Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

PRESENT: (School Board)
Earl Pickett - Chairman
Lannis Selz
R. W. Mitchell
Cliff Rhodenizer
Martha Paney

ALSO PRESENT: Andy Carroll - Acting County Administrator

Dr. Walter Krug - School Superintendent
Bobby Waddell - School Administration
Billy Perrow - School Administration
Joyce Jamerson - School Administration
Janice Marston - Elementary School Principal

At 6:05 P.M. Mr. Pickett called the School Board Meeting to session.

At 6:05 P.M. Mr. Moore opened the Board of Supervisors meeting.

Mr. Pickett asked Mr. Moja of VMDO to begin his presentation.

Mr. Moja briefly went over some of the concerns from the previous meeting. He stated that by looking at the model of the new school building you would notice that the roof on the wings are still flat and you have stated you do not want a flat roof, there is a $200,000 difference between the flat roof and the sloped roof. You had also stated that another county had built a new school and had pulled off a miracle financially, why can't we do the same. It is cheaper to do a flat roof.
Other than the roof, the building is pretty much the same. One thing that has changed is the siting of the building, we shifted its position on the site which has slightly shortened the entrance road and reduced the amount of grading, thereby reducing the grading cost. We have also shifted further from the residences, the surrounding houses, thereby creating a greater buffer. Mr. Moja feel generally this placement will be more efficient.

Mr. Carwile asked the life expectancy of the roof.

The low slope ballasted roof has a life expectancy of 20 year warranty, with an additional 10 years on materials. The slope roof has a 40 years warranty. The $200,000 is not all in the roofing costs, it simplifies the structural costs as well as mechanical aspects for equipment, etc.
They prefer the slope roof but in trying to keep costs down, they are showing the flat roof.

The gymnasium will be a full gymnasium with seating for community use.

Mr. Moja then discussed the cost of our project as compared with the new Rustburg School building. The Rustburg School is being constructed by Jamerson Construction so we were able to make some fairly accurate comparisons between the two schools. First of all the big difference between the two is that the Rustburg building is 81,000 square feet where Appomattox would be 106,000 square feet. The cost per sq. ft. when Rustburg went out for construction was $82.69, the inflated cost would be $95.72 per sq. ft. if they started that building today. It's capacity is 850 students as compared to our 1,150 students. The State has a maximum capacity rating per class room, for example, the typical first-grade room would be rated at 25 pupils. This is based on a simple formula.

The cost per square foot we are showing on this building is $104. That is about $5.00 less than what we talked about when we talked about the budget and projection. Rustburg is providing 95 square feet per student. This building is 92 square feet per student. If you inflate the Rustburg costs to build at the same time this one will be, the figures would be $7,754,000 to $10,650,000 or $2,851,000

difference. The size of this building is a major factor, it has a capacity of 300 more students and 25,000 additional square feet.

Rustburg is a County with multiple elementary schools and therefore they need less space. Appomattox has all its elementary students in one school. Campbell County sends their special education students to difference schools and we have to house ours in the same school. Therefore we have 6 additional regular classrooms in addition to 8 special education rooms; an art room; two (2) additional computer rooms and the larger size gym. He feels our building will be a much better school than theirs.

Mr. Kendrick asked what does his figures not include?

Mr. Moja is comparing construction costs only:

$10,605,000 Construction Cost Only
+1,620,000 Project Costs (surveying/technology, etc.)
$12,231,750 Total Cost of Project.
- 1,676,750 By removing 2nd grade wing
$10,454,250 Total Cost of Project
- 1,113,020 by removing Gymnasium
$ 9,315,200 Total Cost of Project with 2nd Grade wing and Gym removed.

Mr. Moja stated that with the removal of these two items it would still be a functional school, but that he would not recommend doing either one.

Mr. Carwile stated you get what you pay for.

Mr. Carwile asked Mr. Selz what the impact would be without the 2nd Grade wing.

Mr. Selz replied that the mobile units and the primary school is at capacity. The 2nd grade wing at the new school would eliminate the need for adding on to the primary school.

The Rustburg school was started 2 years ago. There is now approximately a 7% inflation rate per year. This is based on construction inflation and not consumer index.

Mr. Kendrick asked how much money needs to be spent with VMDO between now and August 3rd when the Board plans to meet with Davenport.

Mr. Moja stated about $30,000 per month.

Mr. Carwile questioned the costs involved in stopping. Mr. Moja stated there would be some costs involved in stopping.

$192,700 has already been paid through June according to Mr. Perrow and roughly $60,000 more is owed now.

Mr. Carwile asked the estimated construction time. Mr. Moja feels it would be between 18 to 20

months. Continuing at the present rate, with no stoppage, bids could be due by the end of October 2000.

Mr. Kendrick asked the School Board if they had to eliminate one thing, what would it be?

Mr. Mitchell suggested the Gymnasium.

Mrs. Marston stated the gym was needed because there was no large assembly space anywhere else in the building. The primary school was functioning with the overcrowded building and possibly could continue.

Question was asked regarding additional cost for seating in gymnasium? Answer - $250,000.

One theory of saving money would be the buying of furniture and technology through the operating budget, rather than loading the loan with this expense. This involves approximately $500,000. By purchasing these things as we go along or buy them for the present building and move them later, this could lower the amount of money we need to borrow.

Mr. Moore asked if any furniture would be moved to the new building. They did use some of the newer furniture when the Middle School was renovated.

Mr. Carwile asked Mr. Pickett if it was the consensus of the School Board to proceed with the plan as it was presented and if the School Board would support this concept. The School Board would also be accountable to the taxpayers.

Mr. Pickett's reply was that most of the School Board members like this concept.

Mr. Moja stated the School Board has officially accepted the project as it now stands.

There was some discussion concerning holding off any decision on stopping Architectural/Engineering work until after the County Board of Supervisors meets with Davenport on August 3rd, 2000.

Mr. Carroll will present the four (4) options to Davenport prior to the August 3rd, meeting.

Mr. Moore stated the Board of Supervisors had one item of business to consider.

Mr. Moore stated the Planning Commission has recommended approval of Petition #00-440 - James and Scheli Seay for a Conditional Use Permit to allow additional dwelling on single lot. Property is part of Tax Map No. 19-A-37 and 38 and is zoned A-1. Property is located on Route 686 between Route 615 and Route 663.

Mr. Carwile made a motion seconded by Mr. Kendrick to approve the Planning Commission's recommendation to approve Petition #00-440 to allow additional dwelling on single lot. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 7:05 P.M. on a motion by Mr. Carwile seconded by Mr. Kendrick the Board was adjourned. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On August 3, 2000 at 6:00 P.M., the Appomattox County Board of Supervisors held a meeting with Davenport and Company, LLC of Richmond at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Samuel Carter - Courthouse District

ABSENT: Frank H. Carwile - Wreck Island District
Jesse Hancock - Falling River District

ALSO PRESENT: Andy Carroll - Acting County Administrator
David Rose - Davenport and Company, LLC

At 6:02 p.m., Mr. Moore opened the meeting and explained that Mr. Carwile and Mr. Hancock would not be in attendance.

Mr. Moore then turned the meeting over to Mr. Rose. Mr. Rose began his presentation regarding the financial report.

Mr. Rose started his presentation by stating the objectives upon which their report was based.

- Prepare a Capital Plan that meets the County's objectives and determines the future fiscal stress on the County.
- Minimize the County's Reliance on Debt.
- Strategically use Cash Available to assist in Funding Capital Projects.
- Provide a Capital Funding Strategy that minimizes or avoids future tax increases.

Mr. Rose explained the Historic and Projected Population Growth; Revenue Growth; Expenditure Growth; and Assessed Value Growth of the County.

Mr. Rose then explained the funds available by decline in the existing debt service.

Mr. Rose then listed the Financing Goals of the County as he understood them:

- Meet County's Timetable Making Funds Available as Needed.
- Minimize the Level of Debt Related Issuance in Terms of Amount and Duration.
- Provide the Lowest All-In-Cost of funds to Maximize Cash Flow.

- Utilize the Maximum Amount of Below Market Rate Financing Mechanisms.
- Strategically Layer in New Debt to Minimize any Necessary Increase in Tax Rate.
- Establish a Strong Undesignated Reserve Fund at 15% of Government Revenues.
- Establish a Capital Reserve to Provide Annual Interest Income for Capital Projects.

He also presented several scenarios for our projected plans for the Elementary School, Courthouse, Landfill, etc., and explained each to the Board.

There was some discussion on the options that were presented.

Mr. Rose stated that approximately 60% of the real growth would go to the operational side. Realistically this is closer to 40%.

Mr. Kendrick requested a scenario factoring in the Landfill Closure as soon as 2002 should DEQ request this to be done. Mr. Rose will look into providing this information.

Mr. Kendrick commented on the fact that the Tax Base Chart provided by Davenport, Appomattox County was the highest. How are the other Counties able to obtain these lower tax rates?

Mr. Rose explained that some of them have had reassessments, and growth accounts, various other ways of approaching Capital Projects, such as scaling back on projects and doing things on an as needed basis, and utilizing loans available.

Mr. Moore made the statement that most of these other counties have revenues other than Real Estate which Appomattox does not have. This may be one of our problems.

Mr. Kendrick approached other projects that we may encounter in the near future, such as:

High School & Primary School alterations
Landfill Closure in 2002 instead of 2005
Recreations Facilities
E911 System
Also there may be additional renovations necessary at the Courthouse Complex.

Mr. Kendrick suggested the Mr. Rose give the Board a Comparative Analysis of each of these financing scenarios projects so the Board could then see what is good and bad in each case.

The Board members felt Mr. Rose had done an excellent job with the information he had been provided and the way in which he had presented it to the Board.

Mr. Moore stated that it was now up to the Board to decide where they are and where they want to go.

Mr. Kendrick thinks we may need to factor in some flexibility or a reserve account for unexpected capital projects that may come up within a specified period of time.

Mr. Moore complimented Mr. Rose on doing such a fine job with the Charts in the report. With charts he can get a better understanding of where things are going.

Mr. Moore thanked Mr. Rose for presenting this proposal to the Board.

At 7:29 P.M. on a motion by Mr. Carter, seconded by Mr. Kendrick the meeting was adjourned. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held it's regular meeting at 6:00 P.M. on August 7, 2000 at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H.. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - Acting County Administrator

At 6:02 P. M. Mr. Moore called the meeting to order and asked Mr. Carter to deliver the invocation.

Mr. Moore invited Mr. Don Austin, VDOT, to come before the Board.

Mr. Austin presented the report made by the Road Viewers after the completion of inspections in June, 2000. Mr. Austin also presented the Board with the Road Viewers recommendation that several roads in the Country Haven Estates Sub-Division and Porter's House Road off Route 667 be taken into the Secondary Road System.

Mr. Moore invited Ms. Anne Hunter to come before the Board to discuss her concerns with Porter House Road. Ms. Hunter started this project in1989 and had been told that this road probably would never be taken into the Secondary System. She is not suggesting that Country Haven Estates be dropped so that Porter House Road could be improved but she is asking that consideration be given on an equal basis.

There was some discussion regarding the Road Viewers Report and VDOT's Resolution.

On a motion by Mr. Carter seconded by Mr. Carwile the following resolution was adopted:
WHEREAS, the Board of Viewers on June 12, 2000, viewed the following requested sections of roads for eligibility as new additions to the Secondary Road System and recommend to the Board that they be added to the Secondary Road System.

BE IT RESOLVED, this Board does hereby accept the Board of Viewers report and will request the Virginia Department of Transportation to add the following sections to the Secondary Road System of Appomattox County when the necessary unrestricted fifty (50) feet of right of way is obtained, required utility adjustments completed and funding is available.

BE IT FURTHER RESOLVED, this Board established that the following streets be eligible for acceptance under Section 33.1-72.1 Paragraph "C"of the Code of Virginia.

Chestnut Mountain Drive -	Beginning at the end of maintenance of Route 750 and running to the intersection of Pine Crest Lane for a distance of 0.40 miles.
(50/50)	Estimated Cost - $80,000
Chestnut Mountain Drive -	Beginning at the intersection of Pine Crest Lane and running to the Campbell County Line for a distance of 1.09 miles.
(50/50)	Estimated Cost - $200,000
6th Street -	Beginning at its intersection with Route 750 and running 0.09 miles to a dead end.
(50/50)	Estimated Cost - $15,000
Ash Lane -	Beginning at the intersection of Route 750 and running 0.15 miles to a dead end.
(50/50)	Estimated Cost - $23,000
Pine Crest Lane -	Beginning at the intersection of Chestnut Mountain Drive and running 0.31 mile to a dead end.
(50/50)	Estimated Cost - $60,000

BE IT FURTHER RESOLVED, this Board establishes that the following street be eligible for acceptance under the Rural Addition Policy and Section 33.1-229 of the Code of Virginia.

Porter House Road -	Beginning at a point on Route 669, 0.45 miles east of Route 608 and running south a distance of 0.80 mile.
	Estimated Cost: $160,000

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Austin explained to Ms. Hunter the process involved in getting Porter House Road funded at 100%.

Mr. Moore thanked Ms. Hunter for her presence.

Mr. Carter discussed the Board of Supervisors letter of 7-27-2000 to Ms. Lindsay regarding the installation of a traffic light at the Shoppes of Appomattox. VDOT's opinion is that this would create more of a hazard. VDOT is still studying this area.

Mr. Austin informed the Board that the contract for the Industrial Park access road has been awarded.

Mr. Moore thanked and excused Mr. Austin and called the Sports Complex Committee to appear before the Board.

Ms. Anne Dixon and Mr. Dale Campbell came forward to represent the Sports Complex Committee.

Mr. Campbell stated the Committee would like to know the status of the new sports complex. We are in need of baseball and soccer fields. They cannot continue to get the youth of the County involved in sports without the proper fields for practice and tournament participation. They have had someone from Richmond look at the proposed property and make recommendations. They realized that the financial situation is rather tight at the present time but would like something drawn up so some preliminary plans can be done. Mr. Campbell made reference to the property that was given to the County by Mr. Bill Jamerson several years ago to be sold and the proceeds used for athletic fields and feels this money should be use for the development of the Sports Complex.

Mr. Campbell feels we have come a long way in providing sport activities for the youth with the help of civic groups. If we do not provide our young people with something to get involved in, they will continue to roam the streets without any real purpose for the use of their time.

Ms. Dixon stated that the entire complex does not have to be developed at this time. They are desperately in need of baseball, football and soccer fields.

Mr. Carroll informed the Committee and the Board that there were a couple of grants available for use. There is a soccer grant from the United Federation of Soccer and VDOT has funds for the recreation access road funds. The Soccer Federation Grant is either a percentage or matching fund grant, whereas the VDOT recreation access road is 100%, but these both require a plan in place.

Ms. Dixon feels that Appomattox County has businesses that would be willing to donate supplies and services, once things are definitely in place to proceed with the Complex.

Mr. Kendrick stated from what he was hearing was that the Sports Committee was asking the Board to give them the funds necessary to get a study done and some preliminary plans drawn up in order to proceed with the realization of this project.

There was much discussion regarding what can be done at the present time.

Mr. Kendrick made a motion seconded by Mr. Carter to appropriate the money from the Jamerson property to pay for a study and plans and also prepare a Request for Proposal for the development of these plans. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore thanked Ms. Dixon and Mr. Campbell for their time and interest in the future of our young people.

Mr. Moore invited Danny Heath, Nesbe Cable to appear before the Board.

Mr. Carter had several questions for Mr. Heath regarding the cable system and service in the County, especially the fiber optics upgrade that they proposed some time ago. Mr. Heath stated that this project was just getting started because of some budget restraints. Hopefully this upgrade will be done sometime within the next year.

Mr. Carter also questioned the problem of distorted pictures and just poor service and a lack of concern on the part of company representatives when you call with a problem. Mr. Heath informed Mr. Carter that he was not aware of any of these problems existing. He will check on this and try to correct them as soon as possible.

Mr. Moore thanked and excused Mr. Heath.

Mr. Moore then called for Supervisor's Concerns.

Mr. Carwile asked if the Eternal Flame was covered in this year's budget.

Mr. Carroll will check to see if this is specifically stated as a line item.

Mr. Carwile made a motion seconded by Mr. Carter to supplement $1,000 to cover the expense of the Eternal Flame if this is not already in the FY2001 Budget. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Carwile also discussed the Index cover regarding the Budget page numbers, etc.

Mr. Carroll will take care of this.

Mr. Kendrick requested that the Board draw up a Legislative package of our concerns that we could have our local representative present at the next General Assembly session regarding financial concerns, and what kinds of relief we can get. He asked the other Board Members to write up anything they may have on this matter. Maybe we could send this on to Mr. Virgil Goode as well.

Mr. Moore then explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matter.

At 7:36 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to enter into closed session to discuss a legal and personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 9:32 P.M. seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Mr. Carter, seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for action from the closed session.

Mr. Carter made a motion seconded by Mr. Kendrick to inform Jester & Jester to continue the process to clear up the paperwork to free up the property for the Actions Committee. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore next called for discussion on the Administrative Items.

The Actions Committee has received a bill from Jester & Jester in the amount of $1,250 for the preparation of an opinion concerning the auction property easement. Mr. Carroll has requested an appropriation from 1101-3002 to cover this bill. Once the property is auctioned, the money will be returned from the proceeds.

Mr. Carter made a motion seconded by Mr. Kendrick to appropriate $1,250 from 1101-3002 Professional services to pay Jester & Jester for work done on property easement. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll is requesting permission to allow Mr. Martin to receive prices on repair to the bricks and plaster to the Clerk's Office Building for damage done by weather. The cost of this project should not exceed $2,500.00 and can be paid out of Courthouse Maintenance.

Mr. Carwile made a motion seconded by Mr. Kendrick to allow Mr. Martin to proceed with prices on repairs to the Clerk's Office Building and take funds from the Courthouse Maintenance Fund to cover costs up to $2,500.00. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Landfill is requesting that the County adopt a policy to reimburse landfill employees a portion

of the cost of safety shoes or boots which they are required to wear.

Mr. Carroll will draw up a sample policy for presentation at the next meeting.

The next item presented was the Planned Industrial District Zoning Classification that was tabled at the last meeting.

Mr. Carter made a motion seconded by Mr. Moore to adopt the Proposed Zoning Ordinance Addition - Planned Industrial District Zoning (M-2) as presented.

Mr. Carwile questioned putting this whole tract into Industrial Classification. Discussion followed.

Mr. Moore called for a vote on the motion as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Animal Welfare Action Group is asking permission to use Courtland Field for the purpose of holding a fund raising event to benefit the animal shelter. This will require a special event insurance certificate at a cost of approximately $25 - $50.

Mr. Carter made a motion seconded by Mr. Kendrick to allow AWAG the use of Courtland Field for a fund raising event to benefit the animal shelter. Since this is a non-profit organization, the County will pay for the insurance. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Does anyone have any issues that they would like to have Davenport consider before their next presentation?

Mr. Kendrick presented the following:

1. Comparative Analysis (3 cases) only
2. Consider landfill closure in 2002
3. Reduce taxes to 65 cents at reassessment
4. Nothing beyond 20 year debt payment - no 30 year payment
5. Sports Complex - Cost figures?
6. Courthouse Compound - Non-renovated items
7. Price for the School - $11 million
8. Primary & High School needs for the future (5 year plan)
   (800 student elementary and what to primary school)
9. Conservative Operational Budget (Growth)

Mr. Kendrick made a motion seconded by Mr. Carter to present the above to Davenport & Company, LLC for a proposal. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

J. E. Sears & Company has presented a change order regarding the Sheriff Department addition requesting an extension of 12 days on the contract time from August 26, 2000 to September 8, 2000 due to changes in electrical and communication raceway costing six (6) days and also an excessive

amount of rain during the month of July costing the contractor six (6) days. There is no additional cost involved in this change order.

Mr. Carter made a motion seconded by Mr. Carwile to extend the contract time for the completion of the Sheriff's Department addition by twelve (12) days. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore asked Mr. Carroll to explain the information furnished by the House Appropriations Committee regarding the Composite Index.

The Virginia Association of Counties has furnished the Board with the information requested regarding the Standards for Telecommunication Antennas and Towers. This information is self-explanatory.

DEQ has given the Appomattox County Landfill a satisfactory inspection report for the inspection conducted on July 17, 2000. There were two (2) violations noted: (1) Compaction and Cover and (2) special waste disposal.

Mr. Moore next presented the Planning Commission's recommendation from July 18, 2000.

Mr. Hancock made a motion seconded by Mr. Carter to approve the following petitions as recommended by the Planning Commission.
#00-437 for Williams Communications, Inc. - Conditional Use Permit for Public Utilities (addition to regeneration equipment). Property is Tax Map No. 25-A-2A and is located on Route 691 between Route 643 and Route 1047. Property is zoned M-1.

#00-438 - Robert Greep - Conditional Use Permit to allow additional dwelling on single lot. Property is Tax Map #24-1-67A and is zoned A-1. Property is located on Route 605 between Route 721 and Route 624.

#00-439 - William Hudson - Conditional Use Permit to allow additional dwelling on single lot. Property is Tax Map #15-1-17 and is zoned A-1. Property is located on Route 605 between Route 624 and Route 667.

#00-440 - James and Scheli Seay - Conditional Use Permit to allow additional dwelling on single lot. Property is part of Tax Map #19-A-37 and 38 and is zoned A-1. Property is located on Route 686 between Route 615 and Route 663.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Board has received Thank You notes from the Concord Fire Department and the Gladstone Rescue Squad for donations received from the County.

The Board also received information regarding the update to the Town/County Website.

The Board next considered the Consent Agenda consisting of the following:

1. Approval of Bills for August, 2000.
   Mr. Carter made a statement that the Library and Landfill went "hogwild" during the month of July, 2000.
2. Virginia Cooperative Extension Budget Request: (This form has to be filled out annually regarding the budget of the Extension Office. $42,298.00)
3. Law Library: bills totaling $163.26
4. Refund to Ms. Adeline Heater in the amount of $25.25 building permit refund.
5. Library:
   a. $7,701.29 to 7301-7001 (remainder of grant from FY2000)
   b. $21.20 line item transfer (video fund) for postage
   c. $170.83 line item transfer (video fund)
   d. $264.08 line item transfer 7301-5415 (summer reading program)
   e. $104.64 line item transfer 7301-5401 (office supplies)
   f. $30.95 appropriation to 7301-5411 (monies collected for lost books, fines, etc.)
6. Sheriff's Department: supplemental appropriations as follows:
   (a) 3301-5413 minus $750.00 - Miscellaneous;
   3301-5401 plus $250.00 - Office Supplies;
   3301-7002 plus $350.00 - Furniture & Fixtures;
   3301-7003 plus $150.00 - Communications Equipment
   This reflects the Board's desire to eliminate miscellaneous categories from the Budget.
   (b) 3106-5413 minus $5,394.00 - Miscellaneous Expenses
   3106-5401 plus $5,394.00 - Office Supplies
   This reflects the Board's desire to eliminate miscellaneous categories from the Budget.
   (c) $91.04 to 3102-1002 - Overtime (reimbursement from Appomattox Middle School)
7. Maintenance Department:
   (a) $200.00 from 4302-5413 to 4302-5405 - Janitorial/Houskeping (eliminate miscellaneous category)
   (b) $364.95 from 4302-7010 - Courthouse Maintenance to cost of microphone and cable replacement.
8. Victim/Witness Advocate:
   2220-1001 plus $338.00 - Salary Wages
   2220-2001 plus $25.00 - FICA
   2220-7001 plus $710.00 - Equipment
   TOTAL $1,073.00 additional grant funding received.

Mr. Carter made a motion seconded by Mr. Kendrick to approve the Consent Agenda as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye: Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Upon a recommendation by Mr. Kendrick the Board informed Mr. Carroll to write a letter to the applicants not being interviewed for the County Administrator's position thanking them for their interest, etc.

On a motion by Mr. Mr. Carter at 10:30 p.m. seconded by Mr. Hancock the meeting was adjourned. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter,

aye.

Russell H. Moore, Chairman

On August 21, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors held it's regular scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - Acting County Administrator
Mr. Dan Siegel - County Attorney

At 6:00 P.M. Mr. Moore called the meeting to order and asked Mr. Kendrick to give the invocation.

Mr. Moore called Mr. Wayne Bowman of the Virginia Department of Forestry to address the Board.

Mr. Bowman presented the Board with a check in the amount of $21,062.73 which represents one quarter of the proceeds from the Appomattox/Buckingham State Forests.

Mr. Bowman also stated that the Forestry Department was still catching up with the sleet damage, which is why the check amount is down somewhat this year. They are also trying to establish some horseback riding trails, bike riding trails, hiking trails and are trying to make the State Forests more useful to the public and not just for hunting and fishing.

There were some questions regarding people running into bears. Mr. Bowman stated there are signs of a few bears but he has not had anyone complaining of encounters with bears.

There have been some problems with timber damaging insects but not as bad as several years ago.

Mr. Moore thanked Mr. Bowman for meeting with the Board and for presenting them with the check.

Mr. Moore explained that an closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 6:07 P.M. Mr. Carter made a motion seconded by Mr. Carwile to enter into closed session to discuss a legal and personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 7:30 P.M. seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution as adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then asked Mr. Phillip Jones to appear before the Board.

Mr. Jones stated he was there on behalf of the resident of Country Haven Estates Sub-Division. Mr. Jones thanked the Board for their help on the first sections of the road that have been completed. There are approximately 1.6 miles left on the main road to complete. At the present time there is a proposal to complete .8 of a mile with money on hand for this portion. This leaves an additional .6 of a mile to complete. They would like to have this road completed if at all possible.

There was some discussion on this matter.

Mr. Moore thanked Mr. Jones for his appearance.

Mr. Moore then called for Supervisors Concerns.

Mr. Carter discussed revenue collections from the Library on various activities such as use of fax machine, etc., and other similar items. This is the same as the rental of Community Center, purchase of tickets to Kings Dominion, etc. We need to look at posting these in a different manner. These fees collected should go in the General Fund just like the Community Center revenue is generated.

Discussion followed.

Donations should not go to the general fund as these are given for a specific use. If monies are just for fees collected, then it should not be returned to the Library, just posted to general revenue fund.

Mr. Carwile addressed the placement of the Victim/Witness Advocate office when the Courthouse is renovated. Where will this office be located? This will be discussed with the architect, Hal Craddock.

Mr. Carter would like to know the status of Bebo Litchford's trailers on 460West, Jim Baxter's junk yard and two trailers at Paradise Lake area. Are these in compliance with zoning ordinances, grand-fathered in or what?

Mr. Kendrick asked if there is any revenue generated from abandoned trailers, vehicles, etc. Are there any rules governing this type of abandoned property? Can these be taxed as personal property?

Mr. Carter reminded the Board that there was an ordinance in place to deal with unlicenced vehicles within the County.

The Board instructed Mr. Carroll to investigate these complaints and report back to the Board.

Mr. Kendrick would like to know if there are any By-Laws for the Board of Supervisors. Each Board member should have a copy and he would like a change made to the fact that Departments cannot make payments from accounts without the money being in place.

Paradise Ministries Baptist Church is requesting permission to use Courtland Field on September 16, 2000 from 10:00 a.m. until 3:00 p.m. for a special concert to raise money for their church.

Mr. Carwile made a motion seconded by Mr. Carter to grant Paradise Ministries Baptist Church the use of Courtland Field on September 16, 2000 and that they purchase the proper insurance. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for the Consent Agenda items:

Under Courthouse Renovations: Mr. Carter made a motion seconded by Mr. Kendrick to table the Contract portion of this item at the present time, but did appropriate $1,606.46 from 1101-3002 to pay Craddock-Cunningham for work already done on the New Courthouse plans. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter made a motion seconded by Mr. Kendrick to approve remainder of Consent Agenda including Additional Items as presented:

Approval of Bills
DEQ Consent Order Agreement - $6,300.00 from 1101-3002 - Professional Services
Livestock Kill - $137.50 to Mr. Dan Manson for Hogs
Verizon - $13,734.60 for new phone system
Sheriff's Addition - $44,254.00 from IDA Bond Account
Appraisal - $12,000.00 - Tri-County Appraisers
Baler Building & Baler Final Payment - $6,935.00 to Coleman-Adams;
& $5,000.00 to Marathon Equipment - 4204-7008 - Capital Improvements
Sheriff's Office - $66,110.00 - 3102-1001)

$ 5, 048.00 - 3102-2001) for two (2) new positions approved by
$ 3,451.00 - 3102-2002) Compensation Board

Animal Warden - $5.00 donation received - 3501-7001 - Equipment

Library - 7301-5416 - $ 17.68 - Video Fund - approved
7301-5401 - $122.00 - Office Supplies - not approved
7301-5415 - $100.00 - Summer Reading - approved
7301-5411 - $ 42,75 - Books - not approved
7301-5201 - $8.67 - 7301-5416 - Video Fund - approved

Education/Convention Requests:
$500.00 - Brandon Stidham, Planner, to attend Planners Certification Course
$70.00 - Alice Rockefeller to attend computer software training

Railroad Festival - $1,500.00 FY2001 donation
Also Fire Works permit for October 14, 2000

Cost Allocation Plan - $2,200.00 to Robinson, Farmer, Cox (Social Services Funding)

County Attorney Fees - $3,147.19 - Sands, Anderson, Marks & Miller thru 6/30/2000

Convention/Education Requests:
$200.00 Secretary to Commonwealth Attorney - Homicide Training Class

Social Services - Special Welfare Account: $3,000.00

Also Mr. Puckett is requesting permission to get prices on re-painting his office and paying this out of Courthouse Maintenance Funds.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter reminded the Board that there was an item to be acted upon from the executive session.

Mr. Carter made a motion seconded by Mr. Kendrick to promote Ms. Alice Rockefeller to Acting Supervisor of the Landfill at a salary of $20,000 annually on an interim basis. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 8:30 P.M. on a motion by Mr. Carter seconded by Mr. Kendrick to adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On August 24, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors held a meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - Acting County Administrator

At 6:10 Mr. Moore called the meeting to order and stated the purpose of the meeting was to hold interviews for the position of County Administrator for Appomattox County.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)1 - personnel matters.

At 6:10 P.M. Mr. Carter made a motion seconded by Mr. Carwile to enter into closed session to discuss personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 9:20 P.M. seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution as adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for action from the closed session.

Mr. Kendrick made a motion seconded by Mr. Carter to offer the County Administrator's position to Mr. Andy Carroll contingent upon a satisfactory agreement. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, nay; and Mr. Carter, aye.

At 9:24 P.M. Mr. Carter made a motion seconded by Mr. Carwile to adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore

Russell H. Moore, Chairman

On September 5, 2000 the Appomattox County Board of Supervisors held it's regular meeting at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District

ABSENT: Frank H. Carwile - Wreck Island District

ALSO PRESENT: Andy Carroll - Acting County Administrator

At 6:00 P.M. Mr. Moore opened the meeting and gave the invocation.

Mr. Moore called Ms. Sandra Lindsay, VDOT Resident Engineer, to address the Board. Ms. Lindsay reminded the Board of the Final Hearing on Allocation in Roanoke October 5th, 2000 at the Wyndham Hotel. VDOT should have a tentative plan prior to this date.

Ms. Lindsay reported on the request for a light at the Shoppes at Appomattox. She has submitted this to the Traffic Engineer. The money for traffic signals comes through the district office. This will not be a line item in the 6 years plan at the upcoming hearing.

Ms. Lindsay also discussed some of the Board's concerns regarding Route 26. The District engineer will look into these.

Ms. Lindsay discussed the Rural Addition Priorities regarding Country Haven Estates Sub-Division and Porter House Road. (Porter Store Road). The Board needs to draft a resolution prioritizing these projects. By consensus, the Board informed Mr. Carroll to draft this resolution.

Mr. Moore thanked Ms. Lindsay and called Mr. Monte Mays, Commission of Revenue to appear before the Board.

Mr. Mays explained that every year he has to do a workload survey and submit it to the Compensation Board and in 1999 his office assessed 12,007 vehicles individually. They have to check the I.D. numbers and ascertain if the vehicle is a 4 wheel or extended cab, etc. This has become so cumbersome on his employees that they are barely able to get the land book and personal property book out in time for Mrs. Belter to run the tax ticket on time. He would like to request additional funds for a computer program that will access these vehicles, thereby freeing up his deputies so they can assist with real estate, assessing new businesses and some of them can assist with audits of businesses that need to be looked at periodically. This program will tie in to the AS400. NADA would do the assessment and give us this data.

Mr. Mays also stated that he would like for himself and one deputy to attend the annual convention in November, 2000.

The State has adopted a new policy, in order to get any type of enhancement pay, you need to attend classes. He will have more information on this later. He would like for the Board to be aware of this.

Mr. Mays discussed with the Board the trailer situation. You have to be careful how you approach people about their personal property. If he is aware of a trailer, flat-bed, van type or tank type, that trailer is on the personal property book. He cannot tell you how many any one has or whether that person is paying taxes on that trailer because that is an invasion of privacy act and is a class II misdemeanor for him to divulge that information. He informed Mr. Stidham that being a small, rural community and required by the Code of Virginia, Section 58.1 to go out and look at all new construction, he is aware of basically what is going on in the County. There is not a road in the County that he does not have to go on. He knows basically who is doing what and there is a fine line and you have to be careful how you discuss this type of business in a public meeting. You can be assured that if he is aware of any trailer, van, etc. in the County, then it is being taxed. He would suggest that the property owner be contacted and asked to put up a buffer so that these are not visible from the highway.

Unless he is told by the owner to put these trailers on real estate, they are taxed as personal property.

The question has been brought up regarding mobile homes. He would like to clear these up now. Single Wide Mobile homes in 1999 generated approximately $100 per mobile home on average. Double Wide Mobile homes in 1999 generated approximately $375 per double wide on average. A Single Wide depreciates in value (annual basis) as a automobile, whereas, Double Wides do not, generally appreciate as a stick built house. (Taxed as Real Estate).

Mr. Kendrick questioned taxes on single wide trailers used as rental property. Are the taxes based on value of trailer or income generated by trailer?

Mr. Mays informed Mr. Kendrick that all single wide mobile homes are taxed according to value, no where in the County are fees generated by income.

Van trailers used for storage do not generate any fees in Appomattox and he is not aware of any other Counties that do so.

The Board set the Public Hearing for Ordinance Change in the Exception on Certain Real Estate for October 2, 2000 at 7:00 P.M. at the Appomattox County Courthouse.

Mr. Moore thanked and excused Mr. Mays.

Mr. Moore next called for Supervisors Concerns.

Hearing none, Mr. Moore moved to the next item.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 7:05 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to enter into closed session to discuss a legal and/or personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 8:50 P.M. seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution as adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

Mr. Moore called for action from the Closed Session.

Mr. Carter made a motion that the Board hire Darrell A. Carroll, Jr. as County Administrator, based on the contract with amendments, as pronounced, effective September 1, 2000 at an annual salary of $55,000, and authorize the Chairman of the Board to sign this contract on behalf of the Appomattox County Board of Supervisors. Motion seconded by Mr. Kendrick. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

Mr. Carter made a motion to authorize the County Administrator to advertise in the local newspapers for the position of Assistant County Administrator. Motion seconded by Mr. Kendrick. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

Mr. Moore then stated the next item for consideration was <u>Administrative Items (Items 5-9):</u>

5 - Employer Health Care: Mr. Carroll is requesting the Board appropriate $26,783.00 to cover the increase in Blue/Cross premiums for County Employees.

6 - Safety Shoe Coverage: Board adopted the following Policy:

Effective September 15, 2000 and thereafter, all individuals employed at the Appomattox County Landfill and in the County's Maintenance Department shall be responsible for the purchase of their safety shoes as a condition of their employment. After being employed for 6 months and upon verification by the employee's supervisors, the County will reimburse the

employee one-half of the cost of the safety shoes or $60.00 whichever is the lesser amount. This reimbursement will be limited to one pair of safety shoes per year. Shoes should meet standard steel toe requirements as established by the American National Standards Institute.

7 - Community Services Performance Contract: Code of Virginia mandates that the Board approve Central Virginia Community Services FY2001 Performance Contract.

8 - Region 2000 Regional Commission: They are requesting a Resolution of Support for the charter agreement.

9 - Emanuel Tire of Virginia: They are requesting an extension of their contract to January 2, 2001.

Consent Agenda: (Items 10 - 14)

10 - Law Library: $300.58 for bills from Law Library Fund.

11 - Assessment: $12,000.00 from 1210-3002 - Professional Services to pay for parcels assessed.

12 - Clerk of the Court: Supplement $31,148.00 to 2106-7001 - Equipment - for information technology until State funds are released.

13 - School Board: $122,200.00 for architectural services related to Elementary School.

14 - General Liability: $50.00 to 4302-5308 special liability coverage for Courtland Field.

Additional Items for Consideration:

1 - Appomattox Volunteer Fire Department: Requesting $7,891.54 to replace worn out pump.

2 - Magistrate: $443.92 for office equipment

3 - ACTIONS Committee: $14,700.00 to pay for poles and lights for baseball fields.

4 - Sheriff's Department: $26,812.00 payment #6 on addition.

5 - Courthouse Maintenance: request to increase cost of repairing bricks and plaster in Clerk's Building from $3,500 to $6,000.

6 - Cross Country Hunt Club: Application to hold turkey shoot and waive bond fee requirement as in the past.

Mr. Kendrick made a motion seconded by Mr. Hancock to approve the Administrative Items, (Items 5-9); the Consent Agenda (Items 10-14); and the Additional Items for consideration as presented with the exception of Item #13 - School Board which, by consensus, was tabled until the next meeting, and Item #1 of Additional Items be amended to cover only 75% of total amount requested. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

Mr. Kendrick stated he would like to know if the Board will have a report from Davenport & Company, LLC at the next meeting. Mr. Carroll will check on this.

At 9:10 P.M. on a motion by Mr. Carter, seconded by Mr. Hancock the meeting was adjourned. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

Russell H. Moore

Russell H. Moore, Chairman

At 6:00 P. M. on September 18, 2000 the Appomattox County Board of Supervisors held its meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:00 P.M. Mr. Moore called the meeting to order and asked Mr. Hancock to give the invocation.

Mr. Moore invited Mr. David Rose, of Davenport & Company, LLC to come before the Board of Supervisors to give his presentation.

Mr. Rose began by distributing a handout to each of the Board members containing his revised financial report on the County's financial status. This report is a work in progress using the data given to him after the last meeting. They will be revising this report as the Board so wishes. Mr. Rose walked the Board through the report.

The Board interjected several questions during Mr. Rose's presentation.

A lengthy question and answer period followed the close of the presentation.

Mr. Moore congratulated Mr. Rose for his presentation.

At 6:50 p.m. Mr. Kendrick made a motion seconded by Mr. Carwile to recess for the Public Hearing. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye;. Mr. Carter did not vote.

At 7:55 P.M. Mr. Moore reconvened the Board of Supervisors meeting.

Mr. Moore called for Supervisor Concerns.

Mr. Carwile discussed the County Employee's Healthcare Plan. According to Code of Virginia 15.2-1414.2 & .3 members of the Board of Supervisors may be covered under this group plan with county paying premium as any other County Employee. Mr. Carwile proposed that the County offer all Board Members healthcare coverage under the County Employee's Healthcare Plan. Other counties have enacted this policy.

There was some lengthy discussion regarding this. This does not include family coverage, only the employee or official of the County.

Mr. Carter made a motion, seconded by Mr. Hancock to extend health insurance coverage to Board

of Supervisors members the same as any other County Employee. VOTE: Mr. Moore, aye; Mr. Kendrick, nay; Mr. Hancock, aye; Mr. Carwile, abstain; and Mr. Carter, aye.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 8:17 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to enter into closed session to discuss a legal and/or personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 9:55 P.M. seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution as adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

VDOT has requested that the Board of Supervisors pass two resolutions regarding The Country Haven Estates Sub-Division roads and Porter House Road prioritization.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:

WHEREAS, the property owners residing in Country Haven Subdivision located in Stonewall Magisterial District have requested the Virginia Department of Transportation to provide an estimate for the construction of 0.80 mile of Chestnut Mountain Drive from Route 750 (end of state maintenance, 1.00 mile west Route 611) to 0.80 mile west of Rote 750 (end of state maintenance, 1.00 mile west Route 611) to the requirements of the Virginia Department of Transportation and

WHEREAS, The Virginia Department of Transportation has provided an estimate for the cost for said subdivision street and the affected property owners have donated through the county

$31,000.00, fifty (50) percent of the estimate.

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation hereby is requested to add to the Appomattox County Secondary Road System for construction and maintenance the following section of road in accordance with Section 33.1-72.1. paragraph C, of the Code of Virginia of 1950, as amended.

CHESTNUT MOUNTAIN DRIVE - Beginning at Route 750 (end of state maintenance 1.0 west Route 611) and running west for 2.0 distance of 0.80 mile.

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum of fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements for drainage on adjacent properties.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter, seconded by Mr. Kendrick the following priority resolution was adopted:

WHEREAS, the Board of Viewers on June 12, 2000 viewed the following requested sections of roads for eligibility as new additions to the Secondary Road System and recommend to the Board that they be added to the Secondary Road System.

WHEREAS, the Board of Supervisor's at its August 7, 2000 meeting adopted a resolution to accept the Board of Viewers report and agreed to request the Virginia Department of Transportation to add those sections to the Secondary Road System of Appomattox County when the necessary unrestricted fifty (50) feet of right of way is obtained, required utility adjustments completed and funding is available.

NOW THEREFORE BE IT RESOLVED, that the Appomattox Board of Supervisors does hereby set the following priority for the addition of roads into the secondary system based upon the necessary unrestricted fifty(50) feet of right of way being obtained, required utility adjustments completed, and funding being available.

BE IT FURTHER RESOLVED, that the Board recognizes that the acquisition of the necessary unrestricted fifty (50) feet of right of way, required utility adjustments completed and funding be available may allow roads of lower priority to be added to the system sooner than higher priority additions if the higher priority additions fail to have the three requirements secured.

<u>Chestnut Mountain Drive</u> -	Beginning at the end of maintenance of Route 750 and running to the intersection of Pine Crest Lane for a distance of 0.40 miles.
(50/50)	Estimated Cost - $80,000
<u>Porter House Road</u> -	Beginning at a point on Route 669 0.45 miles east of Route 608
(100%)	and running south a distance of 0.80 mile.
	Estimated Cost - $160,000

Chestnut Mountain Drive - Beginning at the intersection of Pine Crest Lane and running to the Campbell County Line for a distance of 1.09 miles.
(50/50) Estimated Cost - $200,000
6th Street - Beginning at its intersection with Route 750 and running 0.09 miles to a dead end.
(50/50) Estimated Cost – $15,000
Ash Lane - Beginning at the intersection of Route 750 and running 0.15 miles to a dead end.
(50/50) Estimated Cost - $23,000
Pine Crest Lane - Beginning at the intersection of Chestnut Mountain Drive and running 0.31 mile to a dead end.
(50/50) Estimated Cost - $60,000
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

The next item for consideration was the appointment of a County Attorney. Mr. Carroll has suggested that the County hire the firm of Sands, Anderson, Marks & Miller to serve as the County Attorney.

There was some discussion as to the expertise and cost of the service.

Mr. Kendrick made a motion seconded by Mr. Hancock to hire the firm of Sands, Anderson, Marks & Miller to serve as the Appomattox County Attorney. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The General Assembly has passed legislation that promotes deregulation of the electric companies. This legislation requires that the Board change the way it collects its utility tax on electric bills.

By consensus the Board will hold a public hearing on October 16, 2000 at 6:00 P.M. to receive comments on the deregulation of the electric taxes.

The next item is the Library regarding fees collected. At the August 21, 2000 meeting the Board decided to place monies collected by the Library in the general fund. Ms. Gibbs is requesting that the Board reconsider this decision. When the Library expenses were being considered in preparation for the budget, these monies were taken into consideration and budget expenses were modified accordingly.

There was lengthy discussion regarding library policy and supplemental appropriations.

Mr. Kendrick made a motion seconded by Mr. Moore to revert back to the former policy regarding these monies until the next Budget process. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, nay; and Mr. Carter, nay.

Recently we had a zoning case which did not fit within the normal appeal process of the Planning Commission for Conditional Use or BZA-Variance. Mr. Carroll suggested we contact the County Attorney to determine if there should be a special exception clause placed in the Zoning Code to

cover this type of appeal, if so, we need to amend the ordinance and hold a public hearing.

By consensus, the Board tabled this until further notice.

The Town/County Water/Sewer Agreement needs to be amended to change the financing structure and include language necessary to meet E.D.A. requirements concerning equity interest. Also need to appropriate $72,324.00 from the IDA Fund to the General Revenue Fund to cover this years portion of the financing.

Mr. Carter made a motion seconded by Mr. Kendrick to approve the amendment to the Town/County Water/Sewer Agreement and appropriate $72,324.00 from the IDA Fund to cover this years financing. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The next item for consideration was the Consent Agenda (Items 11-18):

Item 11 - Approval of Bills - Page 1 - Mr. Carter questioned the payment of $90.00 for the Appomattox Boosters Club.
Page 7 - Mr. Carter questioned telephone bill.

There was some discussion among the Board regarding the bills.

Mr. Carter made a motion seconded by Mr. Kendrick to approve the bills for payment as presented with the exception of the Appomattox Booster Club bill. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Item 12 - Approval of Minutes - Public Hearing of April 3, 2000; Regular Meeting of April 3, 2000; April 8, 2000, Budget Work Session; April 13, 2000, Recessed meeting; April 17, 2000, Public Hearing.

Item 13 - Change Order from J.E. Sears for an extension of 7 days on Sheriff's Addition.

Item 14 - Appropriate $1,104.67 from 1101-3002 - Attorney's fees - Sands, Anderson, Marks & Miller

Item 15 - Treasurers request to attend Cash Management Seminars.

Item 16 - School Board appropriation of $120,000.00 architects for elementary school.

Item 17 - School Board appropriation of $108.44 to close out Trigon Employee Health Care Fund

Item 18 - Library Appropriations: $133.55 Office Supplies - 7301-5401
$ 31.49 Book Replacement - 7301-5411

Mr. Carter made a motion seconded by Mr. Kendrick to approval the Consent Agenda as presented with the exception of Item 16 which was not approved. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll informed the Board that The General Assembly has passed a bill that requires all localities to be operating a wireline E911 system on or before July 1, 2003. However, an extension can be requested. Mr. Carroll has asked Mr. Stidham to begin locating funding mechanisims and to develop an ordinance for the Board's adoption.

The Board then discussed Additional Items for Consideration.

Dr. Krug has requested the Board of Supervisors meet with the School Board in a joint session. October 2, 2000 after 7:00 P.M. was suggested. Mr. Carroll will take care of making these

arrangements.

Mr. Carroll presented the Board with the plan for restructuring the Recreational Department. After discussion, Mr. Carter made a motion seconded by Mr. Hancock to accept the plan to restructure the Recreation Department. VOTE: Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Carter, aye. Mr. Kendrick not present at the time.

Mr. Carroll presented the Consent Agenda for Additional Items: (Items 4-6)

4. Mr. Emmitt Knight is requesting that the County waiver landfill fees resulting from his house fire.
5 At it's last meeting the Board agreed to pay the increase in Blue Cross Insurance coverage for county employees-employee only. Supplemental Appropriations total $26,732.64 to provide this coverage.
6. Board needs to supplement $2,000 to 1201-5409 - Vehicle Allowance to cover automobile allowance provision in County Administrator's Contract.

Mr. Kendrick made a motion seconded by Mr. Carwile to approve the Consent Agenda for Additional Items 4-6 as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

As previously discussed, the joint meeting with the School Board on 10-2-2000 is contingent upon the receipt of agreement from Mr. Moje.

At 10.52 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to adjourn. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors, The Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals held a Public Hearing on September 18, 2000 at 7:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

PRESENT: (Planning Commission)
Al Sears, Chairman
Calvin Tanner

Wayne Lewis
Jim Sefter
Jesse Hancock

ABSENT: (Planning Commission)
C. A. Moore
Robert Johnson
Kevin O'Brien
W. H. (Buddy) Carson
Elizabeth Edwards

PRESENT: (Board of Zoning Appeals)
Clifford Harvey
Dale Campbell
James Cheatham

ABSENT: (Board of Zoning Appeals)
Matt Lair, Chairman
Elizabeth Edwards

ALSO PRESENT: Andy Carroll - County Administrator
Brandon Stidham, Clerk - Planning Commission

Mr. Moore called the Public Hearing to order at 7:00 P.M.

Mr. Moore then stated the purpose of the hearing was to receive comments on petitions for variance to the Appomattox County Zoning Code. Mr. Moore also explained the procedure for receiving comments.

Mr. Moore also stated for the record that no questions be asked from the floor during the hearing process. If you have questions, you may present them to the Planning Commission at it's meeting following the public hearing.

Mr. Moore then asked Mr. Stidham to read the first petition:
Petition #00-442 - George F. Creamer, III - Variance to Section 170-81(C)(3) pertaining to maximum height restrictions on accessory buildings. Property is part of Tax Map #67-A-3, zoned A-1, and is located on Route 616, 0.2 miles from Route 614.

Mr. Moore asked if anyone wished to speak for this petition.

Mr. Creamer came forward and stated he lived in a mobile home only 8 feet high. He would like to construct a building for storage, housing and maintaining farm equipment which requires a height of approximately 18 feet.

Mr. Moore called for comments against this petition. Hearing none, Mr. Moore asked the Clerk to

Mr. Moore called the meeting to order at 6:09 p.m. and stated that it was necessary to enter into an closed session in accordance with Section 2.1-344.(A).1 of the Code of Virginia-personnel matters for consideration and approval of prospective candidates for the position of Planning Supervisor.

At 6:09 Mr. Carter made a motion, seconded by Mr. Carwile to enter into closed session to discuss a personnel matter. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Hancock at 7:45 p.m. seconded Mr. Mr. Carter it was resolved that the Board return to regular session. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Hancock seconded by Mr. Carter the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

Russell H. Moore, Chairman

Mr. Moore read the next petition.

Petition #00-443 – Appomattox County Industrial Development Authority – Rezoning of property from A-1 to M-2. Property is the proposed Appomattox County Industrial Park located between Route 26 and 613.

Mr. Moore asked for comments on this petition.

Mr. Bill Slagle, Chairman of the IDA. When they explored the existing zoning of M-1 Industrial Zone they found it did not accommodate the purpose for which this property was designed. The IDA then developed the M-2 Zoning based on other parks in the area.

Hearing no other comments, Mr. Moore asked the Clerk to read the next petition.

Petition #00-444 – Williams Communications of Virginia, Inc. – Variance to Section 170-80 pertaining to side yard setback requirements. Property is Tax Map #75-A-2A, is zoned M-1 and is located on Route 691 between Routes 719 and 643.

Mr. Moore asked for comments.

Ms. Linda Reeves, Field Supervisor for Williams Communications. They are requesting this petition because they were not able to rotate the property east of where they already have concrete pads. They had to design the building addition to avoid underground fiber optic cable leaving less than the required 10 feet from property line.

Hearing no other comments, Mr. Moore declared the public hearing closed at 7:10 P.M.

read the next petition.

Petition #00-443 - Appomattox County Industrial Development Authority - Rezone property from A-1 to M-2. Property is the proposed Appomattox County Industrial Park located between Routes 26 and 613.

Mr. Moore asked for comments on this petition.

Mr. Bill Slagle, Chairman of the IDA. When they explored the existing zoning of M-1 Industrial Zone they found it did not accommodate the purposes for which this property was designed. The IDA then developed the M-2 Zoning based on other parks in the area.

Hearing no other comments, Mr. Moore asked the Clerk to read the next petition.

Petition #00-444 - Williams Communications of Virginia, Inc. - Variance to Section 170-80 pertaining to side yard setback requirements. Property is Tax Map #75-A-2A, is zoned M-1 and is located on Route 691 between Routes 719 and 643.

Mr. Moore asked for comments.

Ms. Linda Reeves, Field Supervisor for Williams Communications. They are requesting this petition because they were not able to acquire the property east of where they already have concrete pads. They had to design the building addition to avoid underground fiber optic cable leaving less than the required 10 feet from property line.

Hearing no other comments, Mr. Moore declared the public hearing closed at 7:10 P.M.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a meeting on September 29, 2000 at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA at 6:00 p.m. for the purpose of interviewing candidates for the position of Appomattox County Landfill Supervisor.

PRESENT: Russell H. Moore, Chairman, Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator

Mr. Moore called the meeting to order at 6:09 p.m. and stated that it was necessary to enter into an

closed session in accordance with Section 2.1-344.(A).1 of the Code of Virginia-personnel matters for consideration and interviews of perspective candidates for the position of Landfill Supervisor.

At 6:09 Mr. Carter made a motion, seconded by Mr. Carwile to enter into closed session to discuss a personnel matter. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion at by Mr. Hancock at 7:45 p.m. seconded Mr. Mr. Carter it was resolved that the Board return to regular session. Vote: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Hancock seconded by Mr. Carter the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) on public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On October 2, 2000 the Appomattox County Board of Supervisors held it's regular meeting at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA. The Board of Supervisors also met jointly with the Appomattox County School Board at 7:00 P.M.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator
Dan Siegal - County Attorney

Mr. Moore called the meeting to order at 6:03 P.M. and asked Mr. Carter to give the invocation.

Mr. Moore then called Ms. Sandra Lindsay, VDOT Resident Engineer to address the Board.

Ms. Lindsay presented the Board with warrants for traffic signals. Mr. Carter had previously requested a study regarding traffic signals at the entrance to the Shoppes of Appomattox.

Ms. Lindsay then explained that the Board needed to adopt a resolution regarding the replacement of a bridge on Route 629 0.65 miles east of Route 630.

Mr. Kendrick made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, Route 629, 1.046 km. (0.65 mile) East of Route 630, the existing bridge at Little Cub Creek, due to deterioration, will be replaced as a result of project 0629-006-199, N501, D627 with a pre-cast concrete bridge with concrete footings and

WHEREAS, the pre-cast concrete bridge will be built on the same location as the old structure and will require demolition of the old structure prior to construction of th new pre-cast concrete bridge.

NOW, THEREFORE, BE IT RESOLVED, that this Board concurs in closing this section of Route 629 to thru traffic for approximately 4 months (beginning approximately 4/01/01 and ending approximately 8/01/01) for the construction of the new pre-cast concrete bridge.

VOTE: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Kendrick, aye.

Ms. Lindsay informed the Board that a work session would be held on October 23, 2000 at 6:00 P.M. at the VDOT Office to consider the 6 Year Plan - Secondary Road System. There would also be a Public Hearing on this on December 4, 2000.

The Board has received a letter from Mr. Don Austin of VDOT stating that cost of improving and reconstructing Chestnut Mountain Drive will cost $62,000 half of which is to be paid by the Country Haven Homeowners' Association. A check for $31,000.00 was received by the County on September 8, 2000 from the Country Haven Homeowners Assoc.

Mr. Carwile made a motion seconded by Mr Kendrick to appropriate $31,000 for the Country Haven Estate Sub-division road addition. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carwile asked Ms. Lindsay to look into a blind spot on the bridge approach on Route 613 - Police Tower Road - Route 660, North Creek/Phelps Branch.

Mr. Moore then thanked and excused Ms. Lindsay.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 6:25 P.M. Mr. Carter made a motion seconded by Mr. Carwile to enter into closed session to discuss a legal and/or personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carwile at 6:55 P.M. seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carwile seconded by Mr. Carter the following resolution was adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened an closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore then recessed the Board Meeting until 7:00 P.M. at which time the School Board and the Board of Supervisors will hold a joint meeting.

At 7:02 P.M. Mr. Moore called the recessed meeting of the Board of Supervisors back to order and Mr. Pickett called the School Board Meeting to order.
Mr. Moore stated that the purpose of this joint meeting was to discuss what the Board of Supervisors feels they can do toward the financing of the new elementary school. He then turned the meeting over to Mr. Kendrick for him to relay the feelings of the Board to the members of the School Board.

Mr. Kendrick stated that the Board could proceed with the new elementary school project within certain financial constraints. Mr. Kendrick gave a synopsis of the report prepared by Davenport regarding the County's financial outlook. He will later put a motion on the floor proposing a cap on the elementary school at 9 million dollars ($7.5 million from the Literary Fund and $1.5 million from other sources). He will further propose that the funds expended to date for the project, that is; land, architectural fees, and other services, be deducted from the $9 million loan amount and be placed in a capital reserve account to help reduce the tax burden on the citizens of Appomattox.
How is this going to effect our taxes? Right now based on the Davenport Report we will be able to reduce the $.80 cents real estate tax rate to $.65 cents in 2002, not completely negating the effect of the assessment, but bring it within $.03 cents. Since we cannot grow capital that quickly we may

have to increase taxes by $.03 cents by 2003, but for the remainder of the projects proposed, we should not have to raise taxes. It is highly possible that we can negate that entire need as we grow these funds. Hopefully, we will do that, but, we as a Board, are committed to reducing taxes as we provide for the needs of the County. At this time the Board is delighted we are able to proceed with this project and we are thankful to Davenport for this report. It certainly has helped us in making our decision. We appreciate the patience of the Citizens of Appomattox County as we have worked our way through this difficult process. Most of all we are happy for the elementary school children, that they will have a decent place to go to school.

Mr. Pickett thanked the Board of Supervisors on behalf of the School Board and they will do their utmost to get the best school possible.

At 7:10 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to adjourn the Joint Meeting. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Lannis Selz seconded by Ms. Pankey the School Board meeting was adjourned. VOTE: All ayes.

At 7:12 P.M. Mr. Moore reconvened the Board of Supervisors meeting.

Mr. Kendrick made a motion to cap the Elementary School project at $9 million dollars financing $7.5 million thru the Literacy Fund and $1.5 million from other sources with funds expended to date to be deducted and placed in a reserve account. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Moore called for Supervisor's Concerns.

Mr. Carwile stated he has some items of concern but for the sake of time he will not present them tonight.

Mr. Carter made a motion seconded by Mr. Kendrick that no item from Supervisor Concerns be voted on unless it is on the agenda. If all members have been privy to information and it has been discussed in the past it can be voted on. Otherwise it must be on the agenda. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll would like to know if everyone is satisfied with the Davenport report. Mr. Carwile is concerned with the fact that this report is based on projections and on the growth of the County, but he wholly supports it.

The next item to be considered is Health Care Benefits for Board Members.

Mr. Carter informed the Board that at its meeting on September 18, 2000 they discussed and voted on Health Care Benefits for Board Members. This action was in violation of their own policy to not vote on any item that was not on the agenda or had not been discussed previously.

Mr. Carter made a motion seconded by Mr. Moore to rescind the motion made at the last meeting to offer Health Care Benefits to Board Members and made a motion not to offer Health Care Benefits to Board Members at this time.

Mr. Carter has asked the Board to revisit the decision made at it's meeting on September 18, 2000 regarding Health Care Benefits for Board Members.

Mr. Moore called for discussion on this motion.

Mr. Carwile stated that he had presented this at the last meeting as an incentive for future board candidates and that he did not vote for it at the last meeting and would not be a part to it tonight. He would like the citizens to know that he has always paid for his own insurance and would continue to do so.

Mr. Moore then called for a vote on the above motion as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, abstain; and Mr. Carter, aye.

Mr. Moore then asked Mr. Carroll to present the remainder of the Administrative Items.

Mr. Carroll stated that Craddock-Cunningham has presented the Certificate of Substantial Completion on the addition to the Sheriff's Office for the Board's acceptance and approval. Sheriff Staples concurs with this certificate and sees no reason why the Board should not accept it.

Mr. Carter made a motion seconded by Mr. Kendrick that the Board accept and approve the Certificate of Substantial Completion for the Sheriff's addition as presented by Craddock-Cunningham. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Martin Luther King Jr. Celebration Committee is requesting the Board take a sponsorship position for this years celebration with a donation. Proceeds from this celebration will benefit the Mission Empowerment Program at the Jesus Center for Refuge and Hope.

There was some discussion on this subject, with the majority of the members in favor of continuing with past actions to donate to this project. There is money in the budget for such donations.

Mr. Moore made a motion seconded by Mr. Kendrick to donate $500.00 to the Martin Luther King, Jr. Celebration Committee. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll next informed the Board that the Regional Dinner for Region 2000 will be held on October 18, 2000 at 6:00 p.m. at the Holiday Inn Select on Main Street, Lynchburg, Va. The cost will be $28.38. How many of the Board Members are interested in attending. All members plan on attending.

Mr. Carroll has spoken to Mrs. Virginia Fratrick regarding reappointment to the CVAAA Advisory

Council for another term if the Board is in favor of her serving.

Mr. Carter made a motion seconded by Mr. Kendrick to reappoint Mrs. Virginia Fratrick to the CVAAA Advisory Board for another term. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Board has received a request from America's Promise requesting a $400.00 donation to underwrite the cost of the Region 2000 Community of Promise Celebration on October 27, 2000.

Mr. Kendrick suggested that the Board table this item until it can be determined if a donation was made in previous years. The Board by consensus decided to table this until more information has been made available.

At the last meeting Mr. Carroll asked if the Board wanted to have the power to grant a special exception for zoning cases that do not fit within our current zoning ordinance. Mr. Stidham has prepared data which explains when such special exceptions may arise. A public hearing will be necessary to make a change in the current zoning ordinance.

Mr. Carwile made a motion seconded by Mr. Kendrick to set a public hearing date of November 20, 2000 to receive comments on a change to the zoning ordinance. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll next presented the Consent Agenda: (Items 15 - 19)

15. Approval of Bills
16. Approval of Minutes- April 17, 2000, Regular Meeting; April 20, 2000, Public Hearing & Regular Meeting; April 25, 2000, Regular Meeting.
17. Action Items
    (a) The Planning Commission has recommended approval of petition #00-443 - Appomattox County Industrial Development Authority to rezone property from A-1 to Industrial M-2.
    (b) The ACHS Cheerleaders have requested permission to use Courtland Field on Saturday, October 28, 2000 from 8:00 to 12:00 noon to hold a Flea Market to raise money to cover expenses of trip to Europe. Also County to cover special event insurance.
18. Appropriations:
    (a) Law Library: West Group $169.85
    Lexus Publishing $40.48
    (b) Electric Deregulation: Robinson, Farmer, Cox $1,500.00 to calculate revenue neutral ordinance.
    (c) Commissioner of Revenue: $1,504.69 for Mr. Mays and one deputy to attend Annual Commissioner of Revenue meeting. This may be reimbursed by Compensation Board.
19. Supplemental Appropriations:
    1. Sheriff's Office: $4,704.78 DMV Traffic Control Grant (rollover from last year)

$ 100.00 Restitution of Wrecker bill paid by Sheriff's Dept.
$ 64.50 Reimbursement from shortened Conference stay.

2. Landfill: $169.00 additional money received from Litter Grant
3. Blue Cross: $80.18 Refund Ms. Sandra McCormick for overpayment of B/C.
4. Emergency Services: $153.90 monies received for a convention that was not attended.
5. School Board: $202,455.00 Architectural Services - Elementary School.

There was no discussion on any of the above items.
Mr. Kendrick made a motion seconded by Mr. Carter to approve the Consent Agenda (Items 15 - 19) as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

There were several informational items presented to the Board. There was some discussion concerning a letter from the Community Center Board of Directors to the Board of Supervisors regarding Community Center Staff.

At 8:00 P. M. on a motion by Mr. Kendrick seconded by Mr. Carter the meeting was adjourned. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On October 16, 2000, the Appomattox County Board of Supervisors held a Public Hearing at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:00 P.M. Mr. Moore opened the Public Hearing and stated the purpose of the hearing was to receive comments on two proposed changes to the Code of Appomattox County.

Mr. Moore then read the following proposals.

Code of Appomattox County 147.19
to comply with the Code of Virginia 58.1-3814

§147-19 Imposition; amount.

A tax will be charged consumers of telephone and electricity utilities as authorized in §§58.1-3812 and 58.1-3814, Code of Virginia 1950, as amended. This tax shall be levied on all residents of Appomattox County, including those within incorporated towns.

A. Telephone utilities:
A tax will be charged consumers of telephone utilities in the amount of twenty percent (20%) of the first fifteen dollars ($15.) of the monthly bill for residential consumers and twenty percent (20%) of the first one hundred dollars ($100.) of the monthly bill for commercial consumers as authorized in §58.1-3812, Code of Virginia 1950, as amended.

B. Electric utilities:
A tax will be charged consumers of electricity by electric utility suppliers as authorized in §58.1-3814, Code of Virginia 1950, as amended.

Effective with the first bill electric energy rendered for meter readings on or after January 1, 2001 the rate of tax on the electric energy delivered to an ultimate consumer shall be as follows:

Residential consumers: Such tax shall be 20% times the minimum monthly charge imposed upon the customer plus the rate of $.014768 on each kilowatt hour (kWh) delivered monthly to residential consumers by the service provider not to exceed $3.00 monthly.

Commercial/ Industrial consumers: Such tax shall be 20% times the minimum monthly charge imposed upon the consumer plus the rate of $.015279 on each kilowatt hour (kWh) delivered monthly, not to exceed $20.00 per month.

The conversion of tax pursuant to this ordinance to monthly kWh delivered shall not be effective before the first meter reading after December 31, 2000, prior to which time the tax previously imposed by this jurisdiction shall be in effect.

C. The monies raised from the above tax is for the operation of the sanitary landfill and solid waste disposal.

Mr. Moore stated that this was not a new tax, this has been in place for a long time and the amount of the taxes would be about the same as it is now. The new tax is based on kilowatt hours and not dollar amounts. Most monthly bills will not change whatsoever.

There was some questions regarding security lighting which does not go through the meter.

Mr. Moore then read the next proposed Ordinance Change:

§147-12. Exemption on certain real estate.

A. **(Amended 4-10-1981; 5-8-1991; 4-13-1984; 1-2-1996)** Taxation of the dwelling owned by and occupied as the sole dwelling of any person or persons who are elderly or permanently and totally disabled in accordance with the definitions cited above, and provided that the head of the household occupying the dwelling and owning title or partial title thereto has been a resident of Appomattox County for at least one (1) year prior to December 31 of the taxable year for which the request is made, is hereby exempted subject to the following restrictions and conditions:

(1) The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed ***(fifteen thousand ($15,000.)***, provided that the first***(Six thousand five hundred ($6,500.***) of income of each relative, other than spouse, of the owner or owners who is living in the dwelling shall not be included in such total.

The purpose of this change is to give some tax relief to those who are not really able to pay. This change raises the income level from $12,000 to $15,000.

Mr. Moore called for comments.

Mrs. Nina Beasley asked for the definition of Elderly.

Mr. Carroll stated the Commissioner of Revenue would be better able to answer this question. There is a form to be filled out at the time you request this exemption.

Mr. Moore called for additional comments.
Hearing none Mr. Moore closed the Public Hearing at 6:12 P.M.

Russell H. Moore, Chairman

On October 16, 2000 The Appomattox County Board Of Supervisors held it's regular meeting and a Public Hearing at 6:00 P.M. in the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:12 P.M. following the Public Hearing, Mr. Moore called the Board of Supervisors Meeting to order and asked Mr. Kendrick to give the invocation.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters and Section 2.1-344(A)5 - prospective industry location.

At 6:13 P.M., Mr. Carter made a motion seconded by Mr. Kendrick to enter into closed session to discuss a legal and/or personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 7:40 P.M. seconded by Mr. Hancock it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Hancock the following resolution as adopted:

> WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
>
> WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:
>
> NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Carter, aye.

Mr. Moore called for actions from the closed session.

Mr. Carter made a motion seconded by Mr. Kendrick to send out Request for Proposals to receive architectural drawings on the renovation on the existing Courthouse. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Kendrick made a motion seconded by Mr. Hancock to pay Donald R. Martin for his accumulated leave and authorize Mr. Carroll to advertise for the position of Maintenance Supervisor. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore next called for Supervisor Concerns.

Mr. Kendrick stated that during the past week he had a gentlemen ask a question concerning the roofing taken off his house and taken to the landfill by a commercial contractor. He did not understand why he had to pay upwards of $100 for his roofing material to be placed in the landfill. Mr. Kendrick called Mr. Carroll to see if the man had taken this roofing to the landfill in his own

vehicle would it still have cost him. Mr. Kendrick is asking if there is any way citizens can receive relief on this type of debris which is incurred maybe once in twenty years or so.

Discussion followed with several different opinions. Consensus was to leave the policy as it stood.

Mr. Kendrick made a motion seconded by Mr. Çarwile to accept the changes to the Utility Use Tax as presented at the Public Hearing.

Code of Appomattox County 147.19
to comply with the Code of Virginia 58.1-3814

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§147-19 Imposition; amount.

A tax will be charged consumers of telephone and electricity utilities as authorized in §§58.1-3812 and 58.1-3814, Code of Virginia 1950, as amended. This tax shall be levied on all residents of Appomattox County, including those within incorporated towns.

A. Telephone utilities:
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The conversion of tax pursuant to this ordinance to monthly kWh delivered shall not be effective before the first meter reading after December 31, 2000, prior to which time the tax previously imposed by this jurisdiction shall be in effect.

C. The monies raised from the above tax is for the operation of the sanitary landfill and solid waste disposal.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Carter, aye.

Mr. Carwile made a motion seconded by Mr. Kendrick to accept the changes to Section 147-12 - Exemption on certain real estate as proposed:

§147-12. Exemption on certain real estate.

A. **(Amended 4-10-1981; 5-8-1991; 4-13-1984; 1-2-1996)** Taxation of the dwelling owned by and occupied as the sole dwelling of any person or persons who are elderly or permanently and totally disabled in accordance with the definitions cited above, and provided that the head of the household occupying the dwelling and owning title or partial title thereto has been a resident of Appomattox County for at least one (1) year prior to December 31 of the taxable year for which the request is made, is hereby exempted subject to the following restrictions and conditions:

(1) The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed ***(fifteen thousand ($15,000.)***, provided that the first***(Six thousand five hundred ($6,500.)*** of income of each relative, other than spouse, of the owner or owners who is living in the dwelling shall not be included in such total.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carwile asked that the next item - Assistant County Administrator's Position be omitted from the agenda.

Mr. Kendrick has requested that the Board consider appointing the County Administrator as the hiring authority for all employees of the County. Mr. Kendrick feels that the County Administrator is in a better position to know the personnel needs of the various departments and the Board is removed from this process.

Mr. Kendrick made a motion seconded by Mr. Carter to allow the County Administrator to hire and dispose of personnel matters.

Mr. Carwile is not sure he is in agreement with this motion. He feels this will be an undue burden on the County Administrator regarding the public. The Administrator already has the ability to have input in the process. He cannot support this.

Mr. Moore feels this is a good idea because the Administrator is the person would will be supervising the person being hired. He knows the position to be filled and what has to be done. He is totally in support of this motion.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, nay; and Mr. Carter, aye.

The next item for consideration was the New Elementary School and Construction Reimbursement Resolution. This resolution drawn up by Sands, Anderson, Marks & Miller will allow the Board to recoup any architectural fees and land cost fees that have been associated with the new school and anything that has been spent on the Courthouse project.

There was some discussion regarding this resolution.

Mr. Kendrick made a motion seconded by Mr. Carter to approve the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA DECLARING ITS INTENTION TO REIMBURSE ITSELF OR THE SCHOOL BOARD, AS APPROPRIATE, FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS FOR THE COUNTY KNOWN AS THE SCHOOL PROJECTS AND THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS FOR THE COUNTY KNOWN AS THE COURTHOUSE PROJECT

WHEREAS, the County of Appomattox, Virginia **(the "County")** is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the County has paid, beginning no earlier than August 17, 2000, and will pay, on and after the date hereof, certain expenditures **(the "Expenditures")** in connection with (i) the acquisition of land, site improvements, road and utility costs, construction, equipping and furnishing of a new school project **(the "School Project")**, and (ii) construction, renovation, equipping and furnishing as related to the renovation of the Courthouse building **(the " Courthouse Project")**; and

WHEREAS, the Board of Supervisors of the County **(the "Board")** has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of one or more issues of tax-exempt bonds **(the "Bonds")**;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA, AS FOLLOWS:

Section 1. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County or the School Board, as appropriate, with the proceeds of the Bonds for the Expenditures with respect to the School Project and the Courthouse Project **(together, the "Projects")** made on and after August 17, 2000, which date is no more than 60 days prior to the date hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party
that is not related to or an agent of the County so long as such grant does not impose any obligation

or condition (directly or indirectly) to repay any amount or for the benefit of the County.

Section 3. The maximum principal amount of the Bonds expected to be issued for the School Projects is $9,000,000.

Section 4. The maximum principal amount of the Bonds expected to be issued for the Courthouse Project is $2,700,000.

Section 5. The County will make a reimbursement allocation, which is written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 6. This resolution shall take effect immediately upon its passage.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mayor Spiggle has discussed the need to have another joint session between the Town and the County. The proposed date is November 27th at 6:00 P.M. at the Babcock House. The format will be dinner and a business meeting to follow.

Mr. Carter made a motion seconded by Mr. Carwile to hold a joint session with the Town on November 27th at 6:00 P.M. at the Babcock House. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Department of Emergency Services has asked the County to adopt a Statewide Mutual Aid for Emergency Management Model Resolution. This resolution would allow Appomattox County to send and receive assistance from other counties during the time of an emergency. It would also allow any expenses to be charged against FEMA grants. There is no obligation to send or ask for assistance but merely puts into place a network that could possibly be used in case of a disaster.

Mr. Carter made a motion seconded by Mr. Carwile to adopt the Statewide Mutual Aid for Emergency Management Model Resolution. (See October 2000 Board File) VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At the October 2nd meeting the Board discussed making a donation to America's Promise for a Community of Promise Celebration. After much researching, Mr. Carroll could not determine if this donation had been made in the past and according to Board policy, funding would not be approved unless such projects were already in the Budget.

Mr. Carwile made a motion seconded by Mr. Carter to not make a donation to America's Promise at

this time. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Town of Appomattox is making an application through Region 2000 Regional Commission for state grant funds for a study to look at possible water alternatives. There may some costs associated with this grant preparation. Is the Board interested in pursuing a grant for this purpose?

After some discussion it was decided that this should be placed on the agenda for the Joint meeting with the Town.

Interviews for the position of Executive Director for Region 2000 Commission have been scheduled for October 26th, 2000. Would the Board be interested in sending a representative to participate in these interviews?

By consensus, the Board designated Andy Carroll to participate in this interview process.

The Board next considered the Consent Agenda:

12 - The Board approved the minutes of April 27,2000, Recessed Meeting; May 1, 2000, Regular Meeting; May 8, 2000, Budget Work Session; May 11, 2000, Public Hearing; May 15, 2000, Regular Meeting; May 15, 2000 Public Hearing; June 5, Regular Meeting; June 8, 2000 Recessed Meeting; and June 15, 2000, Interview Session-Building Inspector & Landfill Supervisor.

13A - Appropriate $5,085.55 from 1204-3002 to pay Sands, Anderson, Marks and Miller for services rendered.

13B - Appropriate $2,799.60 from IDA Bond to General Revenue Fund to pay for equipment for Sheriff's Department vehicle.

13C - Appropriate $7,500.00 from 1101-3002 to pay Davenport & Co. for financial analysis report.

14 - Approve Alice Rockefeller's request to attend seminar in Roanoke at a cost of approximately $148.00.

15A - Supplement 8303-5203 in the amount of $66.39 for refund from Verizon.

15B - Line Item transfer of $1,578.75 from 7301-7001 Equipment to 7301-3002 Professional Services.

Mr. Carter made a motion seconded by Mr. Kendrick to approve the Consent Agenda as presented, (Item 12 - 15). VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Board then discussed the Information Items as presented to the Board Book.

Mr. Carroll reminded the Board of a Regional Dinner meeting on October 18th at 6:00 P.M. at the Holiday Inn Select- Main Street and the VDOT 6-Year Work Shop at 6:00 P.M. on October 23rd at the Appomattox VDOT Residency Office.

At 8:15 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to adjourn. VOTE: Mr. Moore,

aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On October 23, 2000 at 6:00 the Appomattox County Board of Supervisors met with the Virginia Department of Transportation at the VDOT Residency Office on Ferguson Street, Appomattox, Va. The purpose of this meeting was to discuss the Six-Year Secondary Road Plan.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator
Sandra Lindsay - VDOT Resident Engineer
Don Austin - VDOT
Cathy Arrington - VDOT

At 6:10 P. M. Mr. Moore called the meeting to order.

There was some preliminary discussion on the Six-Year Plan.

Mr. Moore stated that the Board of Supervisors had a couple of items that needed to be discussed and acted upon.

Mr. Moore called for comments and approval of the bills for the month.

Mr. Carter made a motion seconded by Mr. Hancock to approve the bills as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll informed the Board that Region 2000 will be hosting several project managers from VDEP in Richmond October 30-November 1. These project managers will be visiting several industrial parks and companies in our area. Mr. Carroll would like to host a lunch at the industrial park for these managers, some local industry personnel and the Board of Supervisors. The cost of which would be approximately $250.00.

There was some discussion regarding the VEDP visit and the Industrial Park.

Mr. Carter made a motion seconded by Mr. Kendrick to approve Mr. Carroll to host a box lunch for the projects managers of VDEP, some local industry personnel and the Board of Supervisors, with funds coming from 8105-6007. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr.

Carwile, aye; and Mr. Carter, aye.

Mr. Moore then turned the meeting over to Ms. Lindsay to discuss the Six-Year Plan.

Mr. Austin began a discussion of the Six-Year Plan and an explanation of the process. Mr. Austin and Ms. Lindsay handed out a proposal.

Unpaved roads must have a traffic count of at least 50 vehicles a day to be considered for paving these roads. Appomattox County is allocated a certain amount of money for each year in the Six-Year Plan.
Monies allocated for unpaved roads (construction) cannot be use for any other projects.

Mr. Austin explained the Six-Year Plan project by project and how the priority works.

Ms. Lindsay discussed the General Assembly mandate for E911 to be implemented by 2003. This will come from revenue sharing money- 50/50 match. Appomattox County will have an estimated cost of $200,000 for signage. VDOT will still use Route Numbers, but the E911 will require the County to have street names. All roads, both state and private will be required to have a name. Only State road signs will be paid for by VDOT. Private road will have to be paid for by the County from General Funds.

There was a lengthy discussion regarding E911 in relation to the Six-Year Plan and possible other funding for the E911. If the E911 plan is in place before June 2001, then the Six-Year Plan can be changed and the Route 608 project pushed back and the E911 system takes its place.

Mr. Austin completed going over the Six-Year Plan and began going over the unfunded paved road improvement list. There was some discussion on the unfunded roads.

Mr. Austin next began reviewing the unpaved roads and the construction for the project. There was some discussion on Route 652. Lengthy discussion followed.

The County will receive a finalized Six-Year Plan at the Mid-November meeting and a public hearing can be scheduled for the December meeting.

Mr. Austin provided the Board Members with a copy of the new traffic counts for the County (including primary and secondary roads).

Discussion followed.

At 8:30 P.M. Mr. Carter made a motion seconded by Mr. Hancock to adjourn the meeting.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On November 6, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors held it's regular monthly meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry Kendrick - Vice Chairman, Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ABSENT: Russell H. Moore, Chairman - Piney Mountain District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:00 P. M. Mr. Kendrick called the meeting to order and stated the Board of Supervisors would be moving to the Clerk's Office due to the fact that the Circuit Court was still in session.

At 6:20 P.M. reconvened the meeting and asked Mr. Hancock to give the invocation.

Mr. Kendrick called Ms. Sandra Lindsay, VDOT Resident Engineer to come before the Board. Ms. Lindsay introduced Mr. J. P. Morris an Associate Engineer who had been working in the Appomattox Office. Mr. Morris served as the inspector in charge of the Industrial Access Project. VDOT on Friday inspected and accepted the access road as complete. It will be few days before the final cost will be completed. The Route number will be 751. The route marker is not up as yet. The only other thing Ms. Lindsay had to say was to remind everyone of the Public Hearing on December 4th, 2000 at 6:00 P.M. for the 6 Year Plan, Secondary Improvements, Rural Additions, etc.

Mr. Carwile asked if the access roadway was going to be over the proposed amount. Ms. Lindsay stated that she did not believe it was over the budgeted amount.

Mr. Carter thanked Ms. Lindsay for VDOT's role on the industrial access road.

Mr. Kendrick thanked and excused Ms. Lindsay.

Mr. Kendrick then asked Mr. Barry Lyons to come before the Board.

Mr. Lyons came forward and explained the Small Business Development Center's mission. This is non-profit corporation dedicated to helping the small businesses in Virginia's Region 2000. He explained the programs offered by the SBDC. Mr. Lyons then explained that they basically provide three services: 1) They have a loan program where they make loans to small businesses; especially micro loans up to $10,000.00 for equipment, etc.; 2) They have a facility known as the incubator. This is 40 thousand square foot building, where business locate and are helped to become sound businesses so they can then leave the business center and go out and relocate throughout the region.

They do charge rent for space in the incubator.; 3) They provide consultation and training for small business owners and persons thinking about going into business. These services are confidential, objective and are provided at no charge. Mr. Lyons is here to request funding from Appomattox in the amount of $5,000.00 for the period of July 1, 2001 - June 30, 2002.

Mr. Lyons then asked if the Board had an questions.

Mr. Carwile wanted to know how long this program has been in existence and since they are reaching out, is it not working?

Mr Lyons explained that the program is working but they are losing the Chamber of Commerce money and need to come up with other funding.

Mr. Carter asked how many Appomattox businesses had been helped.

Mr. Lyons could not say. The computer software had been changed, but since January1, 1999, 53 clients and 26 business owners has been helped. 38 new jobs have been created as a result and 24 jobs have been kept because of consultation. They have $955,000 in loans.

Mr. Kendrick informed Mr. Lyons that the Board would not be able to consider his request until the next Budget Process. Mr. Kendrick also asked if Mr. Lyons could provide the Board with more detailed information.

Mr. Kendrick thanked and excused Mr. Lyons.

The Planning Commission has requested that the Board consider paying its members for their services.

The Board by consensus tabled this item until it's November 20th meeting with the Planning Commission present.

At an earlier meeting the Board had expressed a desire to set up a special account for the Sports Complex Fund. This is monies that have been donated especially for this purpose, $30,000 from the sale of property donated in 1994 and $400.00 donated in 1999. Mr. Carroll is asking that this amount plus interest ($39,608.80) be transferred from the General Revenue fund to a special account for the Appomattox County Sports Complex.

Mr. Carwile asked Mrs. Belter if this is problem for her office.

Mr. Carwile then made a motion seconded by Mr. Hancock to transfer $39,608.80 from the General Revenue Fund to a special account for the Appomattox County Sports Complex. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The County membership to NACO has expired and we have received an invoice to renewal. Does the Board wish to continue this membership? By consensus the Board decided to table this until

we can get additional information from VACo.

Mr. Kendrick then asked Mr. Carroll to go over the Administrator's Update. Mr. Carroll updated the Board on the progress of several projects currently underway. These included: Personnel Policy; Landfill; Reassessment; VEDP; Wastewater Treatment Plant; Enhanced E911; Special Exception Ordinance; Cellular Towers and Intensive Livestock Ordinance; New Elementary School; Recreational Department; Financial Update and Assistant County Administrator Position.

There was a lengthy discussion on these items.

The School Board is requesting to be allowed to cruise the timber on the new school site and receive sealed bids for the approximately 30 acres that need to be cleared. The proceeds from the sale of this timber would go toward the development of the new elementary school.

Mr. Kendrick stated he had no problem with the sale of this timber but feels the proceeds should go into the General Revenue Fund because of the $9 million dollar cap on the elementary school.

Mr. Carwile made a motion seconded by Mr. Carter to allow the School Board to have the timber cruised and proceeds to be placed in the General Revenue Fund. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Virginia Region 2000 is opposing the merger of United Airlines and U. S. Airways because they feel this would have a detrimental effect on airline customers in the Central Virginia area. They are requesting that the Board send a letter to the U. S. Department of Justice opposing this merger.

Mr. Carwile made a motion seconded by Mr. Carter that the Board of Supervisors send a letter to the Department of Justice opposing the merger of United Airlines and U. S. Airways. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

A public hearing was held in July, 2000 regarding the proposed fee increase for the Office of Building and Housing. There were no comments made at this hearing. After careful review of the increases
proposed, Mr. Carroll has determined that these increases will make the Office of Building and Housing self sufficient. Is the Board interested in implementing these fee increases effective December 1, 2000. (See November, 2000 Board File)

Mr. Carter made a motion seconded by Mr. Carwile to enact the proposed changes to the Building and Housing fee schedule effective December 1, 2000. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Board next considered the **Consent Agenda Items: (Items 8 - 11).**
Approval of Minutes for the Recessed Meeting of May 18, 2000; Regular Meeting of June 19, 2000; Public Hearing of June 19, 2000; Joint Meeting of June 29, 2000; Public Hearing of July 10, 2000; Regular Meeting of July 10, 2000; Regular Meeting of July 17, 2000; Public Hearing of July 17, 2000; and Joint Meeting of July 20, 2000.

Approval of Bills for the month of October, 2000.

8. **Supplemental Appropriations:**
   - A. **Court Services:** Mr. Bradner is requesting an appropriation of $199.00 to replace a chair.
   - B. **Treasurer:** Ms. Belter is requesting $3,583.00 be added to her budget to reflect a salary increase approved by Compensation Board.
   - C. **Clerk's Office:** Appropriation of $2,190.00 from Courthouse Maintenance Fund to cover repointing of brick to Clerk's Office. Previously approved by the Board.
   - D. **Victim/Witness Grant:** Supplemental of $1,496.72 to reflect funds received from last year's grant that were expended this fiscal year.
   - E. **Appomattox Volunteer Fire Department:** Supplemental of $391.40 to reflect increase in Fire Program Funding received.
   - F. **Appomattox Volunteer Fire Department:** Supplemental of $1,972.89 to reflect Town payment for pump repair.
   - G. **Extension Agency:** Supplemental of $81.63 reimbursement for overpayment during telephone system transition.
   - H. **Library:** Supplemental to Video Fund of $188.13 to reflect donations and fees collected.
9. **Line Item Transfers:**
   - A. **Zoning and Planning Department:** Transfer funds from advertising to mileage, telephone and office supplies to more accurately reflect expenditures.
   - B. **Office of Building & Housing:** Transfer of $500.00 from mileage line item in the Economic Development Budget to vehicle/power equipment line item due to expensive maintenance items encountered on County truck.
10. **Board Appropriations:**
    - A. **Sheriff's Addition:** $480.93 from 4302-7009 to Craddock-Cunningham for work performed on the addition. This completes their work on the Sheriff's Office.
    - B. **I.D.A. Bond Account:** $480.93 from I.D.A. Bond Account to General Revenue Fund to reflect architectural work performed on the Sheriff's Addition.
    - C. **Law Library:** $62.35 for purchases made for the Law Library.
    - D. **Assessment:** $6,000.00 from 1210-3002 to pay for parcels assessed.
    - E. **Board of Assessors:** $630.00 from 1211-1001 to pay Board of Assessors for work performed on the assessment.
    - F. **DCJS Grant:** $11.13 from 1101-3002 Professional Services to pay for federal funds not spent in connection with Local Law Enforcement Block Grant.
    - G. **Watch for Children Signs:** $114.19 from 1101-3002 Professional Services to pay for the manufacture and installation of a "Watch for Children" sign on Route 642.
    - H. **Courthouse Settlement:** $184.00 from 1101-3002 Professional Services to Thomas Lawson for executed agreement to settle Petition for Writ of Memorandum involving Courthouse suit.
11. **Convention/Education Requests:**
    - A. **Registrar:** Ms. Smith is requesting $390.00 to attend the Registrar's Annual meeting.
    - B. **Recreation:** Ms. Dixon is requesting to attend her yearly conference at a cost of $500.00.

On a motion by Mr. Carter seconded by Mr. Kendrick the Board approved the entire Consent Agenda as presented. (Items 8-11). VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

The Board then took under consideration the Information Items which mainly consisted of Monthly Reports.

Mr. Kendrick explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 7:20 P.M. Mr. Carter made a motion seconded by Mr. Carwile to enter into closed session to discuss a legal and/or personnel matter. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 8:42 P.M. seconded by Mr. Hancock it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Hancock the following resolution as adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 8:44 P. M. Mr. Carter made a motion seconded by Mr. Hancock to recess the meeting and reconvene on November 16, 2000 to interview Architectural/Engineering Firms.

Jerry Kendrick, Vice-Chairman

On November 16, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors met at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:00 P.M. Mr. Moore called the meeting to order and stated that the purpose of this meeting was to interview architects for the Courthouse Renovation.

Mr. Moore explained that a closed session was necessary in accordance with the Code of Virginia, 1950 as amended, Code Section 2.1-344(A)1 for the purpose of interviewing architects for the Courthouse Renovation Project.

At 6:05 P.M. Mr. Carter made a motion seconded by Mr. Carwile to enter into closed session to discuss a legal and/or personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter at 9:00 P.M. seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Carwile the following resolution as adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 9:02 P.M. Mr. Carter made a motion seconded by Mr. Hancock to adjourn. VOTE: Mr.

Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

At 6:00 p.m. on November 20, 2000, the Appomattox County Board of Supervisors held it regular meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District

ABSENT: Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:02 P.M Mr. Moore called the meeting to order and gave the invocation.

Mr. Moore explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matters.

At 6:04 P.M. Mr. Carwile made a motion seconded by Mr. Hancock to enter into closed session to discuss a legal and/or personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carwile, aye.

At 6:53 P.M. on a motion by Mr. Carwile seconded by Mr. Kendrick it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carwile, aye.

On a motion by Mr. Carwile seconded by Mr. Kendrick the following resolution as adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, 1950, as amended require a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such

matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carwile, aye.

At 6:55 P.M. Mr. Kendrick made a motion seconded by Mr. Carwile to recess until after the 7:00 P.M. Public Hearing.

At 7:05 P.M. Mr. Moore reconvened the Board of Supervisors Meeting. Mr. Hancock not present, in Planning Commission meeting.

Mr. Moore called for Supervisors Concerns. None were presented.

Mr. Moore stated the Board has several **Administrative Items** to consider.

County Ball Park & Courtland Field: Mr. Carroll is presenting a proposed usage policy for the Ball Park and Courtland Field. Prior to this, requests for the use of these properties have been handled on a case by case basis by the Board. Under the new policy, the Recreation Department will receive and approve these requests.

Mr. Kendrick made a motion seconded by Mr. Carwile to approve the Recreation Department be responsible for the usage of the Ball Park and Courtland Field. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye. Mr. Hancock in Planning Commission meeting.

Community Center: The Recreation Department has requested a change in the rental fee for the Community Center from $10.00 per hour to $20.00 per hour, effective January 1, 2001. The Community Center Advisory Board is in agreement with this change.

There was some discussion and Mr. Carwile stated he felt the $20.00 per hour was still a modest fee.

Mr. Kendrick made a motion seconded by Mr. Carwile to approve the change in the rental fee for the Community Center usage from $10.00 per hour to $20.00 per hour, effective January 1, 2001. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carwile, aye. Mr. Hancock still in Planning Commission meeting.

Enhanced 911 Ordinance: Mr. Stidham has drafted an ordinance to enact the E-911 system for the County and proposed a tax fee of $3.00 for each telephone user to provide the necessary funds for getting the E911 Ordinance in place. The Board needs to approve the proposed tax rate and also set a date for a public hearing to be held regarding this Ordinance.

Discussion followed with most of the board members agreeing that this is something we do not have a choice in doing, since we only have two (2) years to implement this system.

Mr. Kendrick made a motion seconded by Mr. Carwile to set the tax rate on telephone users at $3.00 and hold a public hearing for receiving comments and review of the E911Ordinance on December 4, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Hancock still in

Planning Commission.

Telephone Utility License Tax: The Board needs to review the Ordinance on implementing a Telephone Utility License Tax and set a public hearing date.

Mr. Moore made a motion seconded by Mr. Kendrick to hold a public hearing on December 4, 2000 to consider the implementation of a Telephone Utility License Tax. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; Mr. Hancock still in Planning Commission meeting.

Personnel Policy: At the last meeting Mr. Carroll presented a draft of the proposed Personnel Policy for County Employees. Does the Board have any comments on this policy at this time?
There was a general discussion regarding this policy draft. Mr. Kendrick has some suggestions and Mr. Carwile would like to see the policy condensed.

On the issue of Salary Scales the Board by consensus approved for Mr. Carroll to proceed with getting prices on having this work done.

Financial Update: Mr. Carroll briefed the Board on what had been done on the reports from the Treasurer, regarding revenue tracking and/or budget spending, as requested by the Board. Is this report what you were looking for or should there be changes or additional information. Also does the Board wish to continue receiving the full detailed report of expenditures?

Mr. Kendrick suggested that maybe a brief summary on the bottom of the page as to where we stand and if and where there may be a shortfall.

Mr. Moore feels this report is sufficient but would like to see graphs or plotted reports.

The majority feels that if the Treasurer sees any problems, she would bring them to the Board's attention.

Mr. Carter and Mr. Carwile feel they would like to continue to receive the full detailed report. However, Mr. Kendrick and Mr. Moore do not feel they need to continue with these.

Financing of New Elementary School: Mr. Carroll is requesting the Board allow him to request bids from financial institutions for interim financing for the New Elementary School project. He has been contacted by several institutions expressing interest in financing this project.

There was a lengthy discussion regarding the cost of financing this project.

Mr. Kendrick made a motion seconded by Mr. Carwile to give Mr. Carroll permission to pursue financing packages for the Elementary School project. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye. Mr. Hancock still in Planning Commission meeting.

Special Exception: As discussed at a previous meeting, the Board already has the ability for special exceptions in the Code based upon case law defining special exceptions as the same thing as a

conditional use. Mr. Daniel Siegel of Sands, Anderson has written the Board explaining this point in greater detail. If the Board needs further explanation, Mr. Siegel will be glad to attend a meeting and discuss this in greater detail.

After some discussion, this item was tabled until such time as Mr. Siegel can attend the meeting.

The Board then considered the **Consent Agenda: (Items 9 thru 12)**

9. **Approval of Bills**

10. (a) **Bible Baptist Church** is requesting the use of Courtland Field for a Christmas Pageant on December 3, 2000 from 6:15 P.M. to 9:00 P.M.

(b) **Stop The Violence:** The High School FCCLA is requesting permission to hold a ceremony at the Eternal Flame on Saturday, December 2, 2000 at 5:00 P.M. to commemorate "Stop The Violence Week". They are also requesting the Board to sign a "Stop The Violence proclamation

(c) **Holidays:** The Governor has extended holidays to state employees as follows: Thanksgiving; Wednesday, November 22, close at noon; Christmas; Friday December 22, close at noon and remain closed on Tuesday, December 26; New Year's: closed on January 2, 2001. Mr. Carroll is requesting the Board grant County Employees these additional holidays as well.

(d) **BZA Appointments:** The BZA has two members whose terms have expired. Mr. James Cheatham and Mr. Clifford Harvey have both agreed to serve again. Does the Board wish to forward these two names to the Judge for re-appointment?

Also the County Code states that a quorum of the BZA shall be 4 members instead of 3. Does the Board wish to modify this code to allow for a simple majority of the members, i.e. 3 members to represent a quorum? If so, a public hearing will be necessary. This could be scheduled for the December 18th meeting.

11. **Board Appropriations:**

(a) **Appraisal:** Please appropriate $12,000 from 1210-3002-Professional Services to pay Tri County Appraisal for work performed.

(b) **Convention and Education:** Please approve approximately $1,200 for George Johnson to attend the Landfill Certification course December 11th - 15th, 2000.

(c) **Commonwealth's Attorney:** Mr. Puckett previously requested repairs to be done to his office. He has received two cost estimates and is requesting the Board to appropriate $1,750.00 from Courthouse Maintenance to perform this work.

(d) **Watch for Children Sign:** Please reimburse Frank Mara in the amount of $44.78 from1101-3002-Professional Services.. This represents the difference between amount Mr. Mara paid ($211.59) and the actual cost ($166.81) for VDOT to erect sign.

(e) **Comprehensive Service Act:** The Comprehensive Policy Management Team (CPMT) has contracted with the Region 2000 Regional Commission for a CSA Coordinator. Mr. Carroll is requesting $4,150.00 for the first payment of this contract and appropriation for the total amount of $12,500 from 5310-3002-Professional Services.

12. **Supplemental Appropriations:**

(a) **Watch for Children Sign:** Please supplement line item 1101-3002-Professional Services by $44.78 to reflect a refund payment to Mr. Frank Mara.

(b) **Sports Complex Fund:** Please supplement 7102-7000 Recreation Department-Capital Outlay in the amount of $39,208.00. This is necessary to transfer the funds from General Revenue Fund to newly designated Sports Complex Fund.

(c) **Sheriff's Department:** Please appropriate $10.44 to 3102-5409-Police Supplies to reflect reimbursement for a damaged phone case.

(d) **Building and Housing:** Please appropriate $258.71 to 3401-5408-Vehicle Power Equipment supplies for damage that occurred to building inspector's vehicle while on a job site.

(e) **Library:** Please appropriate $19.95 to 7301-5416-Videos and $130.45 to 7301-5401-Office Supplies to reflect donations and fees received.

Mr. Kendrick made a motion seconded by Mr. Carwile to approve the Consent Agenda (Items 9-12) as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Hancock still in Planning Commission meeting.

There were several Information Items to be discussed.

There was some discussion regarding the joint meeting of the Board of Supervisors and the Town Council on the water/sewer project. Also the "Stop the Violence" proclamation will be signed at this meeting on the 27th of November.

There was a lengthy discussion regarding the request from the City of Lynchburg about having Mr. Ted Hershberg back to speak to the school boards in the Region. Mr. Hershberg charges $5,000.00 plus expenses for lecture fees. Mr. Carroll will check to see if other localities are interested and what our portion of this fee would be and report back to the Board.

At 8:30 P.M. Mr. Kendrick made a motion seconded by Mr. Carwile to recess until the Planning Commission finished their meeting and could join the Board of Supervisors to discuss their request for compensation for their members. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carwile, aye.

At 8:34 P.M. Mr. Moore reconvened the meeting with Mr. Hancock and the Planning Commission in attendance.

Mr. Moore asked the Planning Commission Chairman to explain their request.

Mr. Al Sears stated the Planning Commission was asking for compensation to justify all the meetings they attend. These meetings are requiring more and more time to be spent in reading the information regarding the meetings as well as time spent in attending public hearings, etc. They are requesting approximately $50.00 per meeting for regular scheduled monthly meetings, as well as any special meetings requested by the governing body. This does not include any make-up meetings required due to lack of quorum or any special or committee meetings organized among the Planning Commission members themselves. Other surrounding counties presently compensate their Planning Commission members. Members must be present at the meeting in order to receive compensation.

They also request mileage and cost reimbursements for continuing education programs associated

with their office be continued as they are now.

After some discussion, Mr. Kendrick made a motion seconded by Mr. Hancock to approve a monthly compensation of $50.00 be paid to the Planning Commission members for attendance at regular and special meetings. This is contingent upon actual attendance at the meetings. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr Hancock, aye; and Mr. Carwile, aye.

At 8:41 P.M. Mr. Kendrick made a motion seconded by Mr. Hancock to adjourn.

At 8:42 Mr. Kendrick amended his previous motion to adjourn, to recess until the November 27th, 2000 meeting with Town Council, Mr. Hancock seconded this motion. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carwile, aye.

Russell H. Moore, Chairman

At 7:00 P.M. on Monday, November 20, 2000 the Appomattox County Board of Supervisors and the Appomattox Planning Commission held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H Carwile - Wreck Island District

ABSENT: (Board of Supervisors)
Samuel Carter - Courthouse District

PRESENT: (Planning Commission)
Al Sears - Chairman
Kevin O'Brien
C. A. Moore
Jesse Hancock
Jim Sefter
Calvin Tanner
Wayne Lewis
Robert Johnson
W. H. Carson

ABSENT: (Planning Commission)
Elizabeth Edwards

ALSO PRESENT:

Andy Carroll - County Administrator
Brandon Stidham - County Planner

Mr. Moore called the Public Hearing to order and stated the purpose of the public hearing was to hear comments on three (3) petitions requesting changes to the Appomattox County Zoning Ordinance and also to present an Amendment to the Zoning Ordinance.

Mr. Moore asked Mr. Stidham to read the first petition.

00-445 - Samuel Dickerson - Variance to Section 170-81(A) of the Appomattox County Zoning Ordinance, provision restricting accessory buildings to rear yard in R-1 district. Property is located on Rt. 1048 (Walton Drive), is Tax Map No. 75A(3)5E and is zoned R-1.

Mr. Moore called for comments for or against this petition.

Hearing none, Mr. Moore asked Mr. Stidham to read the next petition.

00-446 - Joel Dawson - Conditional Use Permit to place second dwelling on lot in A-1 district per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 669 between Route 608 and Route 608, Tax Map No. 47(A)57A, and is zoned A-1.

Mr. Moore called for comments for or against this petition.

Hearing none, Mr. Moore asked Mr. Stidham to read the next petition.

00-447 - Charlene Wheeler - Variance to Section 170-80 of the Appomattox County Zoning Ordinance pertaining to side yard setback requirements. Property is located on Route 675 between Route 700 and Route 644 and is part of Tax Map No. 99(1)7, and is zoned A-1.

Mr. Moore Called for comments for or against this petition.

Hearing none, Mr. Moore asked Mr. Stidham to read the next petition.

Zoning Ordinance Amendment - Amend Table 2 of Section 170-80, *Maximum Lot Coverage and Height Restrictions/Minimum Yard Requirements,* to clarify applicability of front yard setback to private rights-of-way.

Mr. Moore asked for comments for or against this petition.

Hearing none and there being no further petitions, Mr. Moore declared the Public Hearing closed at 7:02 P.M.

Russell H. Moore, Chairman

On November 27, 2000 at 6:00 P.M. the Appomattox County Board of Supervisors and the Appomattox Town Council held a joint meeting at the Babcock House, Oakleigh Avenue, Appomattox, VA.

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman, Piney Mountain District
Jerry Kendrick- Appomattox River District
Jesse Hancock- Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

PRESENT: (Town Council)
Ronald C. Spiggle - Mayor
Joyce B. Bennett
Norman H. Mayberry
C. Lewis McDearmon
Walter H. Carson
Marvin Mitchell
Steve Lawson

ALSO PRESENT: Andy Carroll - County Administrator
Brandon Stidham - County Planner
David Garrett - Appomattox Town Manager
William Phillips - Town Attorney

At 6:16 P.M. Mr. Moore called the meeting to order stating this was a recessed meeting from November 20, 2000.

The Board of Supervisors waited for the Appomattox Town Council to enter into session. The Town Council then joined the Board of Supervisors.

At 6:17 P.M. Mr. Ronnie Spiggle called the Town Council meeting to order with a motion by Mr. Jimmy Mayberry, seconded by Mrs. Joyce Bennett. Council voted to call the meeting to order and all those present voting aye. Motion carried.

Mr. Moore introduced Ms.Leigh-Ann Jones of the Appomattox County High School Family, Career and Community Leaders of America.

Ms. Jones made a brief statement about the FCCLA and the "Stop the Violence Week" proclamation.

Ms. Channing Harrison of the FCCLA invited the Board of Supervisors and the Town Council to a candlelight ceremony at 5:00 P.M. on December 2, 2000 at the Appomattox County Courthouse Complex.

Ms. Jones and Ms. Erica Johnson presented each member of the Board of Supervisors and the Town

Council with a "Stop the Violence Proclamation" lapel pin.

Ms. Jones then asked the Board of Supervisors and the Town Council to sign the official proclamation for "Stop the Violence Week"

Mr. Moore and Mr. Spiggle made comments supporting this proclamation.

The two governing bodies then assembled to sign the proclamation, after which Ms. Jones, Ms. Johnson and Ms. Harrison left the meeting. (See November, 2000 Board File)

At 6:30 Mr. Carter made a motion seconded by Mr. Hancock to recess the Board of Supervisors until after dinner. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye

At 6:32 P.M. Mr. Steve Lawson made a motion seconded by Marvin Mitchell to recess the Town Council until after dinner. Council voted to recess and all those present voting aye. Motion carried.

At 7:33 P.M. on a motion by Mr. Hancock seconded by Mr. Carwile the Board of Supervisors reconvened the meeting.

At 7:34 P.M. Mr. Jimmy Mayberry made a motion to reconvene the Town Council meeting, seconded by Mr. Lewis McDearmon. Council voted to reconvene and all those present voting aye. Motion carried.

Mr. Moore asked Mr. Carroll to discuss the Comprehensive Plan. Mr. Carroll stated the update for the Comprehensive Plan is due in August 2001. This has to be approved by the Board of Supervisors, the Appomattox Town Council and the Pamplin Town Council. This is mandated to be updated every 5 years. The Planning Commission has started to look at this and Mr. Stidham will be working with the Planning Commission and will be looking to the Board and Town Council for guidance on where to go.

Mr. Spiggle stated that since the Town is already working on a historic district, maybe this should be included in this plan. Maybe the County should work on a plan to incorporate some of the homes outside of the Town limits.

The majority of both bodies feel the Town and County should work together to find the best way to utilize the historic areas as well as develop the 460 corridor to attract tourists to spend more time here, not just spend a couple of hours, i.e. established hotel, restaurant, conference center and maybe an outlet mall. We also could look into the possibility of developing a drama group. This is all contingent upon a water and sewer system.

There was a lot of discussion on the flexibility of attracting both tourism and industry.

Mr. Carroll stated that in the Comprehensive Plan we need to figure out what about the County as it is we wish to keep, what is it about Appomattox that we like and make sure we take safeguards

to protect and preserve these . Also how do we want development to occur? We need to have control of these types of things.

In January five students from the University of Virginia will be working to catalog historic homes within the Town of Appomattox, photographing them and indexing them. We will then have something to look at and something anyone else can come in and look at. Some of these home and buildings will be placed on the National Historic Register and/or State Historic Register. That will give us further exposure, especially on the world wide web.

Mr. Carwile made the statement that if we do not have a qualified person to get this project rolling, then maybe we need to find some one with the expertise to get started on what we really want to do. We have been remiss in our thinking along these lines for too many years.

Mr. Spiggle proposed that at the December meeting we establish a joint committee to look at travel and tourism, made up of two (2) members of the Board of Supervisors and Town Council, plus Andy Carroll and David Garrett, or maybe one (1) Board Member, one (1) Town Council member, one (1) citizen, one (1) Chamber of Commerce member (Andy Carroll) and one (1) Planning Commission member to meet with Kathy Frazier

Mr. David Garrett gave an update on the Water & Sewer Project. The Town did not receive the grant for the water & sewer study. We can apply again next year. This basically would have given us the monies to do a study to look at the two water sources that we were interested in to see if they were feasible? How much water we could get from of them? And to look at all the costs involved in this. How do the two bodies wish to proceed on this project at this time? Do we want to wait until next year and apply for the grant again or do we wish to allocate some monies in the near future to go ahead with this study?

We had estimated that it would take no more than $20,000 to do a study to give us a comprehensive look at the two (2) water reservoir properties and what it would cost to develop them.

Mr. Kendrick asked if a Water/Sewer Authority has ever been considered.

The Board of Supervisors at it's next meeting will look into authorizing the Town Council to proceed with RFP's for the Water Study.

Mr. Stidham will work with Mr. Garrett to look into what grants may be out there for this type of project.

Mr. Garrett then gave a brief update on the Sewer Treatment plant. There have been a few change orders but overall they have not gone over budget and things are proceeding as planned. He encouraged everyone that had not visited the site to do so.

Mr. Carroll discussed the E911 System. Everyone is aware that the state has mandated this system be in place by July 1, 2003. Mr. Stidham is the point man for the County regarding this project and will be coordinating a meeting on November 28th, at the Appomattox Community Center. Both the

Appomattox Town Council and the Pamplin Town Council have received a resolution that says the County would be doing the E911 system because it is too costly for one institution to do on it's own and having three (3) different E911 systems in the County would be too much. Mr. Carroll also informed everyone of the Public Hearing on December 4th to set the telephone tax rate to cover the cost of the E911 system.

Mr. Spiggle thanked everyone for attending and participating in the discussions. He feels these joint meeting are very effective and should continue.

At 9:07 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to adjourn the joint meeting. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

At 6:00 P.M. on December 4, 2000 the Appomattox County Board of Supervisors and the Virginia Department of Transportation held a Public Hearing regarding the Six-Year Secondary Road System and Rural Additions at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ABSENT: Jesse Hancock - Falling River District

ALSO PRESENT: Andy Carroll - County Administrator
Sandra Lindsay, Resident Engineer, VDOT
Don Austin - Assistant Resident Engineer, VDOT
Cathy Arrington - VDOT
Don Harvey - VDOT

At 6:02 P.M. Mr. Moore opened the Public Hearing for the Virginia Department of Transportation Six Year Secondary Road System and Rural Additions Requests and turned the meeting over to Don Austin, Assistant Resident Engineer, VDOT.

Mr. Austin stated the purpose of the meeting was to provide the public with the construction projects the Virginia Department of Transportation has planned for Appomattox County over the next six years.

Mr. Austin described the process of the Six Year Plan and then went over the proposed plan. Mr. Austin also went over the unpaved roads list and also requests for unpaved roads that were unfunded.

Mr. Austin asked if there were any questions on the Six Year Plan as presented.

There were no questions.

Mr. Austin then stated that now was the time for requests for existing roads.

There were none.

Mr. Austin than asked for requests for new additions to the County road system.

Mr. Robert Childs - Concord, Va. Came forward and requested to incorporate a road off of Route 669, 4000 ft. from Route 608, second private road on that state road, into the county road system. This is in the Subdivision of Eddie Gunter. Mr. Childs gave VDOT information regarding the history of the road. Mr. Childs asked what information VDOT needed to work on this request and when VDOT needs this information.

Mr. Austin stated the Road Viewers apply for this funding in May or June of each year. After that it depended upon the funds that are available.

There was some discussion of the project and the funding.

Mr. Carwile offered to assist in any way that he could with Mr. Childs' request.

Mr. Austin asked if there were any further requests.

Hearing no other requests, Mr. Austin turned the meeting back over to Mr. Moore.

At 6:25 P.M. Mr. Moore declared the Public Hearing closed.

Russell H. Moore, Chairman

At 6:30 P.M. on December 4, 2000 the Appomattox County Board of Supervisors held a Public Hearing regarding the Enhanced 911 Service and the Proposed Telephone Utility License Tax at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA. 24522

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Frank H. Carwile - Wreck Island District

Samuel Carter - Courthouse District

ABSENT: Jesse Hancock - Falling River District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:30 P.M. Mr. Moore opened the Public Hearing and read a statement that the Board of Supervisors would receive comments regarding the proposed 911 Ordinance and Telephone Utility License Tax.

ARTICLE XVII
SPECIAL TAX FOR THE PROVISION OF ENHANCED 9-1-1 SERVICES
(final draft)

§ 147-54 Definitions

A. *"Automatic location identification"* or *"ALI"* means a telephone network capability that enables the automatic display of information defining the geographical location of the telephone used to place a wireline E-911 call.

B. *"Automatic number identification"* or *"ANI"* means a telephone network capability that enables the automatic display of the telephone number used to place a wireline E-911 call.

C. *"Consumer"* means a person who, individually or through agents, employees, officers, representatives, or permittees, makes a taxable purchase of local telephone services.

D. *"Enhanced 9-1-1 services"* or *"E-911"* means a service consisting of telephone network features and Public Safety Answering Points (PSAPs) provided for users of telephone systems enabling such users to reach a PSAP by dialing the digits "9-1-1." Such service automatically directs E-911 emergency telephone calls to the appropriate PSAPs by selective routing based on the geographical location from which the emergency call originated and provides the capability for ANI and/or ALI features.

E. *"Local telephone service"* means switched local exchange access service for voice and data transmission.

F. *"Provider"* means every person engaged in the business of selling local telephone services to consumers.

G. *"Public Safety Agency"* means a functional division of a public agency which provides fire-fighting, police, medical, or other emergency services or a private entity which provides such services on a volunteer basis.

H. *"Public Safety Answering Point"* or *"PSAP"* means a communications facility equipped and staffed on a twenty-four hour basis to receive and process E-911 calls.

§ 147-55 Enactment, purpose, and use

A. The County of Appomattox finds that the development and maintenance of an Enhanced 9-1-1, or E-911 service serving the residents of the County of Appomattox and the Towns of Appomattox and Pamplin is in the best interests of the residents and therefore intends to have such service operating through a central office on or before July 1, 2003.

B. Under the authority of Code of Virginia § 58.1-3813.1, a special tax is enacted for the development, installation, upgrades, and ongoing maintenance of an E-911 service. This E-911 tax will be imposed on the consumers of telephone service or services in the County of Appomattox and Towns of Appomattox and Pamplin.

C. Amounts collected from the E-911 tax shall be used solely to pay for reasonable, direct recurring and nonrecurring (1) capital costs and operating expenses incurred by a PSAP in designing, upgrading, leasing, purchasing, programming, installing, testing, administering, delivering, and maintaining all necessary data, hardware, and software required to receive and process emergency telephone calls through an E-911 system, and (2) personnel costs (salaries, fringe benefits, and training) of dispatchers and call-takers of the E-911 system and of the PSAP director or coordinator provided that such person has no other duties other than the responsibility for the PSAP.

§ 147-56 Rate of E-911 tax

The rate of E-911 tax shall be fixed initially at the amount of $3.00 per month per separate telephone access line. When the total initial capital and installation costs are paid, the E-911 tax shall be reduced to the level necessary to offset only the recurring operation, maintenance, and personnel costs of the E-911 system. The county treasurer shall notify the provider of the date on which the E-911 tax is to be reduced under this section. This notification will be sent by certified mail to the registered agent of the provider sixty (60) days in advance of the date on which the E-911 tax is to be reduced.

§ 147-57 Exempt from E-911 tax

Access lines serving the following are exempt from the E-911 tax:

A. Federal, state, or local government agencies;
B. Public safety answering points; and
C. Any subscriber to a local telephone service who resides in a nursing home or similar adult care facility.

§ 147-58 Collection and remittance of E-911 tax

Any provider of local telephone services to the County of Appomattox and Towns of Appomattox and Pamplin shall collect the E-911 tax from the consumer monthly and remit to the Treasurer of Appomattox County such E-911 tax payments as provided in §§ 58.1-3812 (F) and (G) of the Code

of Virginia as amended.

§ 147-59 Delinquent Taxes

Any consumer failing to pay, or any provider failing to collect and remit, such E-911 tax on the month that it is due shall incur a penalty of 10% of the amount due plus interest at the same rate as the percentage interest paid to the taxpayer by the County for overpayments due to erroneously assessed taxes or at the maximum rate permitted under § 58.1- 3916 of the Code of Virginia as amended, whichever amount is higher. In addition to any penalty and interest owed, the consumer or provider will be responsible for the costs of attorneys' fees and or collection agency fees in an amount not exceed twenty percent of the delinquent taxes and other charges collected.

§ 147-60 Records

Providers shall keep complete records showing all purchases of local telephone services to consumers in the County of Appomattox and Towns of Appomattox and Pamplin, which records shall show the date of service, the date of billing, the date of payment thereof, and the amount of E-911 tax imposed hereunder. Such records shall be kept at the provider's offices for a period of three years and shall be made available for inspection by the duly authorized agents of the governing body at reasonable times. Copies of such records shall be provided to the County upon request.

§ 147-61 Receipt and disbursement by Treasurer

The E-911 tax collected pursuant to this ordinance is solely for the initial capital, installation, and ongoing maintenance costs of the E-911 system. E-911 taxes collected from consumers shall be deemed to be held in trust by the provider until remitted to the Treasurer of the County of Appomattox. The Treasurer of the County of Appomattox shall deposit all E-911 taxes collected and remitted from providers into a separate E-911 revenue fund with accounting of such funds to be used solely for the purposes authorized by this ordinance.

§ 147-62 Compensation to providers

Any provider of local telephone service that collects this E-911 tax shall be compensated in the amount of three percent of the amount of E-911 tax due and accounted for in the form of a deduction in submitting the return and paying the amount due by it.

§ 147-63 Effective date

This ordinance shall be effective 120 days after certified written notice of its enactment is received by the registered agent of the service providers required to collect the E-911 taxes.

Enacted under the authority granted in Article 4, Chapter 38 of Title 58.1 of the Code of Virginia (§§ 58.1-3812 through 58.1-3813.1and §§ 58.1-3915 through 58.1-3916) and Article 7(Enhanced Public Safety Telephone Services Act), Chapter 14 (Telegraph and Telephone Companies) of the

Code of Virginia (§§56-484.12 through 56-484.18)

and:

ARTICLE XVI
PROPOSED TELEPHONE UTILITY LICENSE TAX

Sec.147-51 Legislative Authority
Code of Virginia, 1950, as amended. Section 58.1-3731

Sec.147-52 There is hereby levied upon every corporation or other entity providing telephone or telegraph services within the County, for the privilege of doing business within the County, a license tax equal to one half of one percent of the gross receipts accruing from sales to the ultimate consumer in the County. Charges for long distance telephone calls shall not be included in gross receipts for purposes of this license taxation.

Sec.147-53 Effective Date
This ordinance shall be effective at 12:01 A.M. on January 1, 2001.

Mr. Moore then asked if any wished to address either of these ordinances.

Mr. Evans Thomas, Rt. 4, Box 227, Appomattox, VA came forward. Mr. Thomas has concerns with Article 17 of the E911 Ordinance. It is time for Appomattox County to have a E911 service. Especially when the other surrounding counties already have 911. This service will improve the quality of services that we already have in Appomattox County.

Mr. Thomas' main concern is from the standpoint of a small business being taxed $3.00/line. This would cost his firm approximately $216.00/year for their various lines, including fax lines. On a $30.00 per month phone bill this will amount to a 30% increase. He feels that for a small business with more than two lines, that they only need one line for E911 service. He asks that any tax that is levied, have a limit. Any consideration that can be given to this will be greatly appreciated.

Mr. W. H. Craft, Route 2, Appomattox, Va came forward and stated that he is all for the E911 system and hopes that as soon as the system is in place, that the Board will be able to reduce this tax.

Mr. Moore stated that due to the fact that we are getting a late start on this mandated system, we need the money up front to be able to get this project completed by the dead line. Hopefully sometime in the future we may be able to reduce this amount of taxation.

Mr. Moore called for other comments.

Hearing none, at 6:38 P.M. Mr. Moore closed the Public Hearing.

Russell H. Moore

Russell H. Moore, Chairman

At 6:39 P.M. on December 4, 2000 the Appomattox County Board of Supervisors held it's regular monthly meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA following two (2) separate public hearings.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ABSENT: Jesse Hancock - Falling River District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:39 P.M. Mr. Moore called the Board of Supervisors meeting to order and asked Mr. Carter to deliver the invocation.

Mr. Moore stated that it was necessary to enter into a closed session in accordance with Section 2.1-344(A)-1 personnel matters; Code Section 2.1-344(A)-7 legal issues and Code Section 2.1-344(A)-6 Investing of public funds where competition or bargaining is involved.

At 6:40 P.M., Mr. Carter made a motion, seconded by Mr. Kendrick to enter into a closed session to discuss a personnel matter and a matter involving the investment of public funds. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

At 7:25 P.M. on a motion by Mr. Carter, seconded by Mr. Kendrick it was resolved that the Board return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Moore called for action from the closed session.

Mr. Carter made a motion seconded by Mr. Carwile to eliminate the advertised Maintenance Supervisor's position. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carter made a motion seconded by Mr. Carwile to advertise to contract HVAC services for the County of Appomattox. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Kendrick made a motion seconded by Mr. Carter that the County hire Mr. Hal Craddock (Craddock-Cunningham Architect Partners) on an hourly basis to modify the existing architectural drawings for the Courthouse Renovations Project. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Moore asked for Supervisors Concerns. There were none.

The Board next considered **Administrative Items: (Items 1 -9)**

1. Elementary School Financing:
The Requests for Proposals sent out to banks for the interim financing of the Elementary School project were due in the County Administrator's Office no later than 2:00 P.M. this date. Mr. Carroll explained that we received four (4) proposals: Sun Trust, First Virginia, Wachovia and BB&T. In looking over these proposals and speaking with Mr. Daniel Siegel; Sun Trust presented the best proposal with a monthly interest payback of 4.48% and a quarterly of 4.5% representing about one-half per cent better than the next lowest proposal.

There was some discussion regarding the proposals received.

Mr. Carroll also presented the Board with an updated status report on the new elementary school. If the Board is satisfied with this update, we need to establish interim financing to allow for a two (2) year bank note. If the financing is performed in this calender year it will be bank qualified and would therefore provide a better interest rate. This rate was reflected in the proposals received.

There was a lengthy discussion regarding the updated status report. Several members question why the plan is a 600 student building but does not include the second grade wing, and has the gymnasium, music room, etc., listed as a possible add/alternate to the base unit.

Mr. Kendrick made a motion seconded by Mr. Carwile to accept the proposal from Sun Trust for $7.5 million in literary loan anticipatory notes. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Kendrick made a motion seconded by Mr. Carter that the Board write a letter to the School Board voicing displeasure at the current Elementary School Design, etc. and asking if the School Board has in fact looked at all the avenues for a building including a gymnasium, etc., with the $9

million cap. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

2. Central Virginia Community Services Resolution:
Mr. Moore stated he was at the CVCS meeting when this resolution was brought up and it is something he would recommend that the Board do. The way this program is set up, it has to have the approval of all the jurisdictions represented in order for them to purchase this equipment. This is at no cost to the County.

Mr. Carwile made a motion seconded by Mr. Kendrick that the Board accept the Central Virginia Community Services resolution as follows:

WHEREAS, Central Virginia Community Services Board is a Chapter 10 Board created pursuant to Chapter 10 of Section 37.1 of the Code of Virginia, by the counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Lynchburg and Bedford, in order to provide mental health, mental retardation, and substance abuse services to said Counties and Cities;

WHEREAS, Central Virginia Community Services Board desires to enter into Equipment Leases with Dell Financial Services, L.P., Municipal Leasing Credit shown on the attached list. The term of each lease would vary between thirty-six (36) and sixty (60) months, but each would allow Central Virginia Community Services Board to purchase the computers, software, and related equipment at the end of the lease term for $1.00 (together all such leases referred to as the "Equipment Leases") and which computers, software and related equipment are to be use by Central Virginia Community Services Board to provide mental health, mental retardation, and substance abuse services to its service area;

WHEREAS, the present budget for fiscal year 2001 provides funds sufficient to pay the lease costs associated with the Equipment Leases for fiscal year 2001;

WHEREAS, the Equipment Leases may be considered to be a financing arrangement and as such type of "loan";

WHEREAS, Section 37.1-197(a)(11) requires Central Virginia Community Services Board to obtain the consent of the government bodies of the political subdivisions that established it prior to "applying for and accepting loans";

WHEREAS, Central Virginia Community Services Board has requested the consent of each political subdivision for Central Virginia Community Services Board to enter into a perform the Equipment Leases in the event such Equipment Leases constitute a "loan within the meaning of Section 37.1-197(a)(11) of the Code of Virginia, 1950;

THEREFORE, BE IT RESOLVED that Central Virginia Community Services Board is authorized to enter into and perform the Equipment Leases.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

3. Personnel Policy:

Mr. Carroll has revised the Personnel Policy previously submitted to the Board per suggestions from the Board members. Mr. Carroll is requesting that the Board adopt this policy at this meeting.

Mr. Carwile made a motion seconded by Mr. Kendrick that the Personnel Policy for County Employees be adopted as presented. (See copy in file) VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

4. E-911:
Mr. Stidham has drafted a road naming ordinance for the E911 system. If the draft is acceptable, a date needs to be set for a Public Hearing in order for this ordinance to be adopted.

Mr. Stidham has also submitted the minutes of the first meeting of the Public Safety Committee held on November 1, 2000 at 7:00 P.M. at the Appomattox Community Center.

Mr. Kendrick made a motion seconded by Mr. Carter to set a public hearing date of January 8, 2001 at 7:00 P.M. to hear comments on the proposed Road Naming Ordinance for the County's E911 system. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

5. Planning Commission:
The Appomattox County Planning Commission has recommended that the following petitions presented at the Public Hearing on November 20, 2000 be approved by the Board of Supervisors.

00-446 - Joel Dawson - Conditional Use Permit to place second dwelling on lot in A-1 district per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 669 between Route 608 and Route 608, Tax Map No. 47(A)57A, and is zoned A-1.

Zoning Ordinance Amendment - Amend Table 2 of Section 170-80, *Maximum Lot Coverage and Height Restrictions/Minimum Yard Requirements,* to clarify applicability of front yard setback to private rights-of-way.

Mr. Carter made a motion seconded by Mr. Kendrick that Petition #00-446 of Joel Dawson for a Conditional Use Permit to place a second dwelling on a lot in A-1 per Section 170-23 of the Appomattox County Zoning Ordinance be approved as recommended by the Planning Commission. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Kendrick made a motion seconded by Mr. Carter that the Zoning Ordinance Amendment to amend Table 2 of Section 170-80, Maximum Lot Coverage and Height Restrictions/Minimum Yard Requirements be approved as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye and Mr. Carter, aye.

6. Times Virginian Advertisement:
Mr. Hamlett, General Manager of the Times-Virginian has written requesting the Board to place an advertisement on "Shop Appomattox" in the paper for two weeks - Dec. 6 and Dec. 13. Mr. Hamlett also provided the Board with a sample advertisement. The cost of said advertisement would be $107.20 and the deadline for placing this ad is Dec. 5, 2000.

There was much discussion regarding this.

Mr. Moore called for a motion to approve. Hearing none, he moved to the next item on the agenda.

7. Town/County Tourism Committee:
The Board at it's last meeting agreed to appoint a tourism committee to evaluate opportunities for increased tourism promotion. Mr. Kendrick was suggested to serve as the member from the Board of Supervisors and Ms. Anne Dixon, Recreation Director was suggested as the citizen representative.

There was discussion and by consensus it was determined that Ms. Dixon would not be an appropriate appointee due to her employment with the County. The Board agreed that the citizen appointee would be appointed by the other four committee members at their first meeting.

Mr. Carter made a motion seconded by Mr. Kendrick that Mr. Kendrick be appointed to serve on the Tourism Committee as the representative from the County to evaluate opportunities for increased tourism promotion. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. David Garrett, Town Manager is asking for suggestive dates for meeting with Frazier & Associates for the Tourism Committee. Dates suggested were January 11th and January 16th, 2001.

8. Cellular Tower Building Permit Fees:
Presently the Building & Housing Fee Schedule for the County does not include a standard fee for towers, antennas and similar structures. Surrounding counties have provisions for these fees. Do we want to establish these?

There was some discussion regarding establishing a fee as additional revenue source.

By consensus, the Board decided to table this to a future meeting.

9. Administrative Update:
Mr. Carroll asked if there were any questions or explanations needed regarding his report.
There were none. The Board members agreed it was self explanatory and overall a good report.

Mr. Moore next called for discussion on the **Consent Agenda: (items 10-15)**
10: Approval of Minutes:
Minutes of August 3, 2000; Davenport & Co., LLC; Regular Meeting of August 7, 2000; Regular Meeting of August 21, 2000; Interviews for County Administrator of August 24, 2000; Regular Meeting of September 5, 2000; Regular Meeting of September 18, 2000; Public Hearing of September 18, 2000; and Interviews for Landfill Supervisor of September 29, 2000.

11. Approval of Bills:
Bills presented for the month of December, 2000.

12. Administrative Actions

a. **Recreational Park:**
The Sports Complex Committee is interested in organizing individuals to begin some minor preparatory work for the complex, such as clearing trees, etc. This would be strictly on a voluntary basis with no cost to the County.

b. **Youth Sports Committee:**
The Youth Sports Committee is requesting use of a vacant office at the Community Center to store files and use as an office for sign-ups, etc. Ms. Dixon will coordinate the use of the office. Mr. Carroll suggests a trial period of six months.

c. **January Meeting:**
Mr. Carroll is suggesting that the January 2001 meetings dates be changed to January 8th and January 22nd to accommodate holidays on the regularly scheduled dates.

13. **Supplemental Appropriations:**

a. **Sports Complex Committee:**
Supplemental Appropriation of $60,760.00 to 7102-7000-Capital Outlay to reflect donation from Courtland Realty when the elementary school site was purchased.
Also appropriate $60,760.00 from 7102-7000-Capital Outlay to the Sports Complex Fund.

b. **Sheriff's Addition:**
Supplemental Appropriation to the general revenue fund of $29,485.00 from the IDA Bond Account for sheriff's addition.
Also appropriate $29,485.00 to 4302-7009-Capital Outlay to J. E. Sears for construction on sheriff's addition.

c. **Commissioner of Revenue:**
Supplemental appropriation of $500.00 to 1209-5401-Office Supplies due to cost for appraisal guides.

d. **Courthouse Renovation:**
Supplemental Appropriation of $27,855.77 from General Revenue Fund to 1101-3002-Professional Services to cover conceptual work performed by Craddock-Cunningham on Courthouse Renovation.

e. **Planning Commission:**
Supplemental Appropriation of $6,500.00 to 8112-1001-Salaries and Wages to cover cost of paying Planning Commission Members for attendance at meeting for the remainder of FY 2001.

14. **Board Appropriations:**

a. Appropriate $139.34 for Law Library purchases this month.

b. Appropriate $5,292.73 from 1204-3002 Professional Services for services involved in DEQ responses, employment/personnel issues, architects contracts, and zoning issues to Sands, Anderson, Marks and Miller for the month of September.

15. Line Item Transfers:

a. Transfer $795.00 from 1213-1003-Part-time Salaries to 1213-7002 Furniture & Fixtures (Computer) for software upgrade on AS-400.

Mr. Kendrick made a motion seconded by Mr. Carter to approve the entire Consent Agenda as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Mr. Carroll reminded the Board of a Standards of Quality Funding Conference on December 9th at the Staunton River High School from 10:00 a.m. to 2:00 p.m. hosted by Bedford County.

Mr. Carroll asked if the Board Members planned to attend the Annual Fireman's Dinner on Thursday, December 7th at 6:00 p.m. at the Frozen Food Locker. Mr. Carroll will RSVP for all members. He will also check with Mr. Hancock.

Mr. Carter reminded everyone of the Christmas Parade at 3:00 p.m. and the Community of Candles Ceremony at 5:00 p.m. on Sunday, December 10th, at the Courthouse.

At 8:27 p.m. Mr. Kendrick made a motion seconded by Mr. Carwile to recess until December 7th at 6:00 p.m. at the Fireman's Dinner. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carwile, aye and Mr. Carter, aye.

Russell H. Moore, Chairman

The Appomattox County Board of Supervisors held a recessed meeting on December 7, 2000 at 6:00 P.M. at the Appomattox Frozen Food Locker, located on Court Street, Appomattox, Va. in conjunction with the Appomattox Town Council and the Appomattox Volunteer Fire Department's Annual Dinner.

PRESENT: Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT: Andy Carroll - County Administrator

At 6:05 P.M. Mr. Moore called the recessed meeting to order with dinner following.

At 7:30 P.M. following dinner the Board of Supervisors reopened their meeting.

Mr. Carroll presented each Board member with a copy of the letter he had sent to Dr. Krug, School Superintendent, dated December 6, 2000.

Mr. Carroll stated he understood the Board wished to meet in order to give more direction to the School Board.

Mr. Kendrick stated that as a result of the progress report from the School Board presented at the last meeting, it appears the intention is to bid the school as a 600 student school and bid the music room and gymnasium as an alternate. It almost appears that if you do it that way, they have already conceded that they could only build the 600 student school under the $9 million cap, and then approach the Board for additional funds to build the gymnasium and music room. As a result, he feels it is time for the Board to be more specific about what we are asking for. The night we approved this building, we capped it at $9 million for a 600 student school with a gym and music room because this was the most money we felt we could afford to spend. What we did not do at that meeting was to be as specific as we should have been, we simply asked for a 600 student school under the $9 million cap. At this time I am concerned that we will only get a 600 student school and that is really not a good value for the money we will spend. It is time we specify what we are looking for at $9 million before it goes out for bids.

This may require us to rescind the motion that we had and have a new motion that would specify at least a 600 student school with a gymnasium, if that is the feeling of the Board. I admit that I am very discouraged with what I have read. Do they have a design that will give us what we want at the cap of $9 million? How do we get there? Does anyone else have anything to discuss?

Mr. Carwile supports everything Mr. Kendrick has said. Going back to when the Board placed the $9 million cap, he won't say he was erroneously mislead, but he accepted that it would be a 600 student school with gymnasium and music room. Maybe he assumed that, but he did think that was the intent of the Board. From what he is reading and hearing now, it is time for this Board to act and if we need to rescind what has been put in place, then do it. He feels this is just a side tract to come back to the Board for more funding at a later date.

Mr. Moore feels the Board assumed that we were getting what we were asking for until this update and he agrees to rescind the original motion and issue a new one.

Mr. Hancock agrees. He feels that if we can't get what we want for $9 million, then we should renovate the current school.

Mr. Carter questions what we are proposing to do now. He doesn't feel we were clear enough when expressing the want for a gym. After reading the article in the Times Virginian, Dr. Krug says we did not interpret the letter correctly. Dr. Krug implies that there is some misinformation between the two Boards.

Mr. Kendrick still feels that there needs to be some clarification on the Board's part. We do not want the project done in phases. We cannot continue to phase in projects with all the other projects that are now in progress. He would like to put a motion on the floor to clarify the previous motion to cap the school project at $9 million with at least a 600 student school, with a music room and a gymnasium.

More discussion occurred concerning the motion and the misunderstandings.

Mr. Kendrick made a motion seconded by Mr. Carwile to clarify the motion of October 2nd, 2000, to specify the inclusion of the gymnasium, and music room for the $9 million cap. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Carter, aye.

Mr. Carroll will send the School Board a letter regarding the new motion.

Mr. Carter feels the Board of Supervisors should sit down and talk with the School Board.

There was much discussion concerning the design and the cap and also the bidding of the project.

At 8:05 P.M. on a motion by Mr. Carter, seconded by Mr. Carwile the meeting was adjourned. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Russell H. Moore, Chairman

On December 18, 2000 at 6:00 P.M., the Appomattox County Board of Supervisors, the Appomattox Industrial Development Authority and the Appomattox County School Board held a joint meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va. 24522

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District

ABSENT: (Board of Supervisors)
Frank H. Carwile - Wreck Island District

PRESENT: (School Board)
Earl Pickett - Chairman
R. W. Mitchell
Martha Pankey
Clifford Rhodenizer
Lannis Selz

PRESENT: (Industrial Development Authority)
Richard Robinson
Bill Slagle
Leon Turner

Winfred Nash
Walter Hancock
Laura Harris
Floyd Williams

ALSO PRESENT: Andy Carroll - County Administrator
Brandon Stidham - County Planner
Dan Siegel - County Attorney
Vicky Phelps - County Administration Office
Walter Krug - School Superintendent
Billy Perrow - School Administration Office
Brenda Goin - School Administration Office

At 6:02 P.M. Mr. Moore called the Board of Supervisors's Meeting to order and asked Mr. Hancock to give the invocation.

At 6:03 P.M. The School Board opened it's meeting. The I. D. A. Commission also opened it's meeting.

Mr. Moore turned the meeting over to Mr. Daniel Siegel of Sands, Anderson, Marks & Miller. Mr. Siegel stated the purpose of the joint meeting was to pass the necessary resolutions to perform the interim financing for the elementary school project. This is done in compliance with Virginia Law. Mr. Siegel passed out the resolutions for the various boards to review. He explained the Bank Qualified role and the Small Issues exemption.

On a motion by Mr. Mitchell seconded by Mr. Selz, the School Board approved the resolution to perform the interim financing for the elementary school project. VOTE: Mr.Pickett, aye; Mr. Mitchell, aye; Mr. Rhodenizer, aye; Mrs. Paney, aye; and Mr. Selz, aye.

On a motion by Mr. Carter seconded by Mr. Kendrick the Board of Supervisors approved the resolution to perform the interim financing for the elementary school project; VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

On a motion by Mr. Williams seconded by Mr. Turner the Industrial Development Authority approved the resolution to perform the interim financing for the elementary school project. VOTE: Mr. Slagle, aye; Mr. Turner, aye; Mr. Robinson, aye; Mr. Nash, aye; Mr. Hancock, aye; Ms. Harris, aye; and Mr. Williams, aye.

At 6:15 P.M. on a motion by Mr. Williams seconded by Mr. Turner the Industrial Development Authority voted to adjourn. VOTE: Mr. Robinson, aye; Mr. Slagle, aye; Mr. Turner, aye; Mr. Nash, aye; Mr. Hancock, aye; Ms. Harris, aye; and Mr. Williams, aye.

At 6:17 P.M. on a motion by Mr. Self seconded by Mr. Mitchell the School Board voted to adjourn. VOTE: Mr. Pickett, aye; Mr. Mitchell, aye; Ms Pankey, aye; Mr. Rhodenizer, aye; and Mr. Selz, aye.

Mr. Moore thanked the I.D.A. and the School Board for their participation.

Mr. Moore then asked Mr. Siegel to explain the Special Exception to the Zoning Ordinance. The term special use, special exception and conditional use generally mean the same thing in the Code of Virginia. Conditional Use is given for certain types of activity that you want to be more careful about in the different zoning districts. With a Conditional Use, you usually state what the use will be, i.e. a convenience store will be stated as a convenience store. The confusion comes when you use the term conditional use when the true meaning is a variance which is a variance from the requirements that have to do with the physical attributes of the land, such as footage from the road, etc. The variance is usually given by the BZA. A variance is basically dealing with a physical nature of a lot or the size or shape of the lot causing a hardship on the owner's ability to build. It is important from the County's standpoint that with special exceptions that you have a these clearly stated in the zoning code.

The importance of having a special exceptions or conditional use set up clearly in the zoning ordinance is so that later on you don't have someone come to you and say, you are just spot zoning. Spot Zoning means that you don't really have real zoning laws, that you are just letting anything in without rhyme or reason and you let things in wherever you want them. Spot Zoning virtually invalidates or nullifies your Zoning Ordinance. You should avoid any resemblance to spot zoning of any type.

There was some discussion, especially regarding cellular towers. Mr. Siegel stated that Sands, Anderson, Marks & Miller is planning to do a seminar on cellular towers in early spring because so many localities are having questions regarding the placement of these towers.

Mr. Moore thanked Mr. Siegel for attending tonight's meeting.

Mr. Moore called for Supervisor's Concerns.

Mr. Carter has some questions regarding House Bill 1205 - prioritization of Landfill Closings. There was some discussion on the life of the present landfill.

Mr. Moore then stated the next item for consideration was the Enhanced 911 Ordinance.

Mr. Carroll informed the Board that there was a statutory lag time of 120 days between the adoption and implementation of the Enhanced 911 Ordinance, therefore the Board needs to adopt this Ordinance as soon as possible.

After some discussion, Mr. Kendrick made a motion seconded by Mr. Hancock to adopt the Special Tax for the Provision of Enhanced 911 Services Ordinance at a rate of $3.00 per separate telephone access line, effective immediately as presented at the public hearing on December 4, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

Mr. Moore asked Mr. Carroll to share additional information he has on the proposed Telephone Utility License Tax discussed at the public hearing on December 4, 2000. Mr. Carroll has spoken

with several people at the State Corporation Commission and with VACo and found that phone companies have already accounted for the possibility of this tax within their current rate structure.

After discussion, Mr. Carter made a motion seconded by Mr. Kendrick to adopt the Telephone Utility License Tax as presented at the public hearing on December 4, 2000. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

With the adoption of the new Personnel Policy for County Employees, there are limits to the amount of leave time that can be accrued. Two county employees currently have accrued leave time in excess of the approved limits. Mr. Carroll is asking the Board to allow these employees until July 1, 2002 to use this excess leave time before losing it.

Mr. Kendrick made a motion seconded by Mr. Carter to allow the two County Employees until July 1, 2002 to use their excess accrued leave time in order to be in compliance with new County Personnel Policy. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Hancock, aye; and Mr. Carter, aye.

The Lynchburg Chamber of Commerce has asked if Appomattox County would be interested in doing a co-operative advertisement for tourism. The cost would be $3,500.00. The Town of Appomattox may also this project, if so, the cost would be $1,750.00.

After a lengthy discussion, Mr. Kendrick made a motion seconded by Mr. Carter to table this issue until a later date.

At 7:00 p.m., Mr. Moore called for the meeting to recess until after the Public Hearing.

At 7:16 P.M. Mr. Moore reopened the Board of Supervisors meeting. Mr. Hancock not present, in Planning Commission meeting.

Region 2000 is requesting that Appomattox County pay an additional $229.56 for expenses involved in the Regional Dinner Speaker's fee. Lynchburg City did not include this in the original figure at the time of the dinner. This amount is based on the number of Board Members attending this dinner.

Mr. Carter stated he has given this item much consideration and since this was an error on their part, he is in favor of denying this request. He also stated that the Town of Appomattox voted not to pay this additional fee.

After much consideration and discussion, Mr. Kendrick made a motion seconded by Mr. Moore to pay Region 2000 the additional $229.56 for the Regional Dinner Speaker with some notation regarding their record keeping. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, nay. Mr. Hancock in Planning Commission Meeting.

The Board had expressed an interest in having Mr. Hershberg back to speak with the regions school boards. The estimated cost for this will be $1,250.00. Is the Board still interested in doing this?

After some discussion, the Board decided it was not interested in having Mr. Hershberg speak to the school board.

The Board next discussed the **Consent Agenda: (Items 6-10)**

6. **Approval of Bills: (Bills for December, 2000)**
7. **Administrative Items:**
   a. **Emanuel Tire:** Mr. Carroll is requesting that Emanuel Tire be granted an extension of time on using the landfill for its operation until July 1, 2001.
8. **Supplemental Appropriations:**
   a. **Library:** Appropriate $140.00 to 7301-5401 - Office Supplies
      And $94.65 to 7301-5411 - Books.
   b. **Sheriff's Department:** Appropriate $32.76 to 3102-5410 - Uniforms
      And $710.68 to 3102-1002 - Overtime
9. **Board Appropriations:**
   a. **Transfer of funds to Capitol Improvement Funds:** Mrs. Belter, Treasurer, has informed the Board that funds are available to transfer $350,000.00 from the General Revenue Account to the Capitol Improvement Fund in accordance with the FY2001 adopted budget.
   b. **Law Library:**
      $1,008.26 for purchases for Law Library
10. **Line Item Transfer:** Transfer $12,000.00 from the 4302-1001 - Salaries in Maintenance budget to 7102-1001 - Recreation Department to cover salary expenses relating to restructure.

Mr. Kendrick made a motion seconded by Mr. Carter to approve Consent Agenda (Items 6-10) as presented. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye. Mr. Hancock in Planning Commission Meeting.

There was some discussion of the Items for Information. There was no action necessary on any of these items.

Mr. Moore stated that it was necessary to enter into a closed session in accordance with Section 2.1-344(A)-1 personnel matters.

At 7:32 p.m. Mr. Carter made a motion, seconded by Mr. Kendrick to enter into a closed session to discuss a personnel matter. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carter, aye; and Mr. Hancock still in Planning Commission Meeting.

On a motion by Mr. Carter at 7:42 p.m. seconded by Mr. Kendrick it was resolved that the Board return to regular session. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carter, aye; and Mr. Hancock still in Planning Commission Meeting.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:
WHEREAS, the Appomattox County Board of Supervisors has convened a closed meeting this date

pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) on public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
VOTE: Mr. Moore, aye; Mr. Kendrick, aye; Mr. Carter, aye; and Mr. Hancock still in Planning Commission Meeting.

At 7:43 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to adjourn the Board of Supervisors meeting. VOTE: Mr. Moore, aye; Mr. Kendrick, aye; and Mr. Carter, aye. Mr. Hancock still in Planning Commission Meeting.

Russell H. Moore, Chairman

On December 18, 2000 at 7:08 P.M. a Public Hearing was held by the Appomattox County Board of Supervisors and the Appomattox County Planning Commission at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox. VA.

PRESENT: (Board of Supervisors)
Russell H. Moore, Chairman - Piney Mountain District
Jerry Kendrick - Appomattox River District
Jesse Hancock - Falling River District
Samuel Carter - Courthouse District

ABSENT: (Board of Supervisors)
Frank H. Carwile - Wreck Island District

PRESENT: (Planning Commission)
Al Sears - Chairman
Kevin O'Brien
Jim Sefter,
Wayne Lewis
Jesse Hancock
Calvin Tanner
Claude A. Moore

Robert Johnson
W. H. (Buddy) Carson

ABSENT: (Planning Commission)
Elizabeth Edwards

ALSO PRESENT:
Andy Carroll - County Administrator
Brain Stidham - Clerk, Planning Commission

Mr. Moore called the Public Hearing to order and stated the purpose of the hearing was to receive comments regarding several petitions for exceptions to the Appomattox County Zoning Ordinance. Mr. Moore also asked that comments be limited to those in favor of or against the petitions be made during the hearing. Other questions and discussion will be heard by the Planning Commission on this meeting which will follow the public hearing.

Mr. Moore asked Mr. Stidham to read the first petition.

Petition #00-448 - O. H. Tolley, Jr. - Conditional Use Permit for self-storage building per Section 170-47 of the Appomattox County Zoning Ordinance. Property is located on a double-frontage lot fronting on Route 460 and Route 628, Tax Map No. 102-(A)81, and is zoned B-1.

Mr. Moore called for comments for or against this petition.

Hearing none, Mr. Moore asked Mr. Stidham to read the next petition.

Petition #00-449 - William E. Jamerson - Conditional Use Permit to place a second dwelling on lot in A-1 district per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 727 between Route 604 and Route 642, Tax Map No. 76-(6)B, and is zoned A-1.

Mr. Moore called for comments.

Hearing none, Mr. Moore called for the next petition to be read.

Petition #00-450 - George Manson - Conditional Use Permit to place second dwelling on lot in A-1 district per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 644 between Route 649 and Route 716, Tax Map #113(1)4A and is zoned A-1.

Mr. Moore called for comments for this petition.

Mrs. Dolly Manson, HCR Box 1980, Red House, Va. spoke on behalf of the petition. Mrs. Manson stated they had began this project in the summer of last year and had received a stop work order in November. They had already put in the well and septic system. The electric connections had been put in and new siding on the single wide in anticipation of providing a home for their son.

Mr. Moore called for comments against this petition.

Mr. Garet Bosiger, Route 1, Box 378, Appomattox, VA. came forward. Mr. Bosiger lives directly across from this property. He objects to the conditional use permit because it does not meet the criteria of Section 170-23 of the Zoning Code.

Mrs. Julie Austin came forward and gave her address as Route 1, Box 382, Appomattox, Va. Mrs. Austin is not an adjacent landowner. She would like to point out that this dwelling is not "grandfathered" because it is not in the same location as it was originally, it was replaced by a double wide mobile home. She would not have any objection if this property were cut off and deeded to the son, thereby eliminating two (2) dwellings on an existing lot. Mrs. Austin is bothered by the number of Conditional Use Permits she sees advertised in the newspaper each week. She feels the Planning Commission is not being effective in enforcing Section 170-23 and assumes that if there is no opposition to a petition at the public hearing, that the petition is automatically approved. She also stated that she only knows of one such petition that was denied, one in Concord.

Mr. Moore called for other comments. Hearing none, he asked Mr. Stidham to read the next petition for consideration.

Zoning Ordinance Amendment - Amend Section 179-97(B)(8) of the Appomattox County Zoning Ordinance to reduce quorum requirements for the Board of Zoning Appeals to three (3) members..

Hearing no comments, Mr. Moore declared the Public Hearing was closed at 7:18 P.M.

Russell H. Moore

Russell H. Moore, Chairman

The Organizational Meeting of the Appomattox County Board of Supervisors was held on January 8, 2001 at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Russell H. Moore, Chairman, Piney Mountain District
Jerry Kendrick, Vice-Chairman, Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Samuel Carter - Courthouse District

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

This being the Organizational Meeting, the County Administrator called the meeting to order at 6:04 P.M. with Mr. Carter giving the invocation.

Mr Carroll called for nominations for Chairman of the Board for 2001.

Mr. Carwile made a statement that he was not a candidate for the Chairman and that he was nominating Mr. Jerry Kendrick for the Chairman of the Board.

Mr. Carroll asked for other nominations.

Mr. Carter stated that during the past year the Board had been through a lot of difficult projects and having to pull together for a lot of team work that the past Board's had not seen and with that in mind, he would like to nominate Mr. Russell Moore to continue as Chairman.

Mr. Carroll closed the nominations and asked for motions on the nominations. Mr. Carroll stated there were two nominations for Chairman of the Board and he was asking for a motion so these could be voted on.

Mr. Carwile made a motion to nominate Mr. Kendrick as Chairman, seconded by Mr. Hancock. Mr. Carroll asked for discussion. Hearing no discussion, Mr. Carroll called for a vote on the nomination. VOTE: Mr. Moore, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Carter, nay; and Mr. Kendrick, abstained.

Mr. Carter made some comments on the nominating process but that he was in agreement with the final outcome.

Mr. Carroll then turned the meeting over to Mr. Kendrick

Mr. Carwile expressed his appreciation to Mr. Moore for the job he had done during the past year in his capacity as Chairman of the Board.

Mr. Kendrick commented on the number of things that the Board worked through last year and how each of the members had worked to accomplish the difficult tasks put before them. He also thanked Mr. Moore for his leadership last year.

Mr. Kendrick asked for nominations for the Vice-Chairman of the Board.

Mr. Moore nominated Samuel Carter for the Vice-Chairman of the Board seconded by Mr. Carwile. Mr. Kendrick called for discussion. Having no discussion Mr. Kendrick then called for a vote: VOTE: Mr. Kendrick, aye; Mr. Moore, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Carter, abstained.

The next order of business was to adopt the Rules of Order.

Mr. Kendrick suggested the Board continue with "Robert's Rules of Order, Newly Revised" allowing the Chairman to make a second motion.

Mr. Carwile made a motion that the Board adopt "Robert's Rules of Order, Newly Revised"with the

Chairman having the right to vote, make a second but having no right to veto. By consensus the Board decided to stay with "Robert's Rules of Order".

The next order of business was to establish the dates and times of the regular meetings of the Board of Supervisors. Mr. Moore suggested that the meetings continue to be held on the first and third Monday of each month at 6:00 P.M., with no new business being bought up after 9:30 P.M. The Board by consensus agreed to this.

Mr. Kendrick then called for Instructions to the County Administrator.

Mr. Carwile expressed his appreciation for the expeditious manner things are done when they come to the office.

Mr. Carter expressed he felt the County Administrator was doing an excellent job.

Mr. Kendrick expressed that during the course of the year we keep in mind that everyone is privy to the same information. It is easy to make good decisions when we have good information. He asked Mr. Carroll to continue in the same manner as he has previously.

Mr. Moore expressed the confidence he has in the way Mr. Carroll has carried out his duties.

At 6:20 P.M. Mr. Kendrick called Ms. Sandra Lindsay, Resident Engineer, VDOT to come before the Board.

Ms. Lindsay stated the Board needed to adopt the resolution for the 6-Year Plan for Secondary Improvements.

Mr. Carwile made a motion seconded by Mr. Moore to adopt the 6-year Plan for Secondary Improvements. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Hancock, aye; and Mr. Carwile, aye.

Mr. Carwile thanked VDOT for the tree trimming done on Route 613.

Mr. Kendrick thanked and dismissed Ms. Lindsay.

Mr. Kendrick then called Mr. Paul Lee of Robinson, Farmer, Cox to review the County Audit Report for FY 2000.

Mr. Lee stated that he and his staff cover every aspect of the financial records of the County, revenue as well as expenditures, board minutes, grants and Federal taxes. In the years they have been doing our audits, he has never found any problems. Mr. Lee stated that our Reserve this past year was around 10%. He would like for us to be closer to 15% in reserves but stated we do not want to drop below the 10% level.

Our tax collections rate was pretty high, around 98%,

Mr. Lee had one management comment to bring out. Beginning in FY 2003 the Governmental Accounting Standards Board has issued a new statement requiring the County to depreciate fixed assets in governmental funds. This will include landfill movable equipment, sheriff's vehicles, school buses, buildings, and that sort of items, not necessarily fixtures and furniture. A threshold level will have to be established, generally around $5,000.

Mr. Lee answered some questions that various Board Members had regarding the Audit.

At 6:50 Mr. Kendrick recessed the meeting until after the Public Hearing on the proposed Enhanced 911 Road Naming Ordinance.

At 7:08 P.M. Mr. Kendrick reconvened the Board of Supervisors meeting.

Mr. Kendrick proposed that Investment of Loan Proceeds, under the Consent Agenda - #8 - Administrative Actions, be moved into Administrative Items, item #6 for action.

Mr. Kendrick then presented the **Administrative Items 1 - 5** for consideration:

1. **Planning Commission Recommendations:** The Planning Commission has recommended approval of the following petitions as presented on December 18, 2000:

   Petition #00-448 - O. H. Tolley, Jr. - Conditional Use Permit for self-storage building per Section 170-47 of the Appomattox County Zoning Ordinance. Property is located on a double-frontage lot fronting on Route 460 and Route 628, Tax Map No. 102-(A)81, and is zoned B-1.

   Petition #00-449 - William E. Jamerson - Conditional Use Permit to place a second dwelling on lot in A-1 district per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 727 between Route 604 and Route 642, Tax Map No. 76-(6)B, and is zoned A-1.

   Petition #00-450 - George Manson - Conditional Use Permit to place second dwelling on lot in A-1 district per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 644 between Route 649 and Route 716, Tax Map #113(1)4A and is zoned A-1.

Zoning Ordinance Amendment - Amend Section 179-97(B)(8) of the Appomattox County Zoning Ordinance to reduce quorum requirements for the Board of Zoning Appeals to three (3) members..

Mr. Stidham has been contacted by Mr. O. H. Tolley regarding Petition #00-448. He has run into some grading problems and will be forced to change his site plan slightly. There is no problem with this site plan alteration.

Mr. Moore made a motion seconded by Mr. Hancock to approve all petitions as recommended by the Planning Commission. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. **Personnel Job Description and Pay Scale Development:** Mr. Carroll is proposing that the Board enter into a contract with DMG-Maximus to perform this job description and pay scale classification for the County.

There was much discussion concerning the job description/pay scale development study. Originally this was estimated to cost approximately $5,000. The cost is now projected to be $6,900

Mr. Moore made a motion seconded by Mr. Kendrick to instruct Mr. Carroll to enter into a contract with DMG-Maximus to do a job description/pay scale development for County Personnel at a cost not to exceed $6,900. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Trans Dominion Express:** The Trans Dominion Express has written asking the County to once again contribute to its legislative support initiative. Last year we contributed $500. Mr. Carter made a motion seconded by Mr. Moore to contribute $500 to the Trans Dominion Express legislative support initiative. VOTE: Mr. Kendrick, aye; Mr. Carter, aye: Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. **Central Virginia Disability Services Board:** Appomattox County needs to appoint a representative from the local governmental board to serve on this committee.
There was some questions raised as to whether or not this appointee has to be a member of the governmental board or if this should be a person with a physical disability.

Mr. Carter suggested that we table this item until the next meeting. The Board by consensus agreed to Mr. Carter's suggestion.

5. **Administrative Update:** Mr. Carroll reviewed each of these items with the Board.

8a. Investment of Load Proceeds: Each Board member was presented with a document from Sun Trust. Mr. Carroll explained to the Board Members how the interest rate drop may effect this loan. Sun Trust will provide the Board with a proposed investment portfolio for consideration. However, due to the interest rate drop, this portfolio will not be prepared until a later date.

After a lengthy discussion, the Board by consensus, decided to let Mr. Carroll work with Davenport & Company to make the decision on the investment of the proceeds.

Mr. Kendrick next called for Supervisor Concerns. Hearing none, he called the Board's attention to the **Consent Agenda (items 6 thru 15e, with the exception of 8a.):**

6. **Approval of Minutes:** The Board approved the minutes of the Regular Meeting of October 2, 2000; the Public Hearing of October 16, 2000; the Regular Meeting of October 16, 2000; Meeting

with Virginia Department of Transportation on October 23, 2000; the Regular Meeting of November 6, 2000; and the Regular Meeting of November 16, 2000.

7. **Approval of Bills:** The Board approved the bills for the month of December as presented.

9. **Supplemental Appropriations:**
Sheriff's Department:
a. From DMV Grant:
$6,926.25 to 3101-1004 - Overtime
$573.75 to 3101-2001 - FICA
b. From Appomattox Middle School:
$45.52 to 3102-1002 - Regular Overtime - This reflects reimbursement from Middle School.

10. **Travel and Convention:**
$70.84 to 1101-5504 - Travel and Convention for reimbursement for hotel room not used.

11. **Library:**
a. Book Sales and Fees Charged:
$24.24 to 7301-5411 - Books
$91.18 to 7301-5401 - Office Supplies
b. Grant from Gates Foundation:
$22,179.65 to 7301-7001 - Equipment
Mr. Carter commented on the significance of this substantial Grant.

12. **School Board:**
The School Board is requesting an supplemental of $40,000.00 for architectural services to be performed through contract negotiations and also for other civil engineering services already performed.

13. **ACTIONS Committee:**
$14,760.00 to 1101-7009 Capitol Improvements to pay Farmville Excavation for installation of lights at Ball Field.

14. **Line Item Transfers:**
a. County Administrator Office:
$200.00 from 7109-5615 - Community of Candles to 1201-5401 - Office Supplies.
Monies not used for Community of Candles 2000.

15. **Board Appropriations:**
a. Convention and Education:
$150.00 for Mr. Stidham to attend the Erosion & Sediment Control classes.
b. Assessment:
$12,000.00 to Tri-County Appraisals for 1,000 parcels completed in December 2000.
c. Law Library:

$90.86 for expenses during the month of December 2000.

d. **IDA Bond:**
$40,320.65 from IDA Bond to the General Revenue Fund for the Appomattox Volunteer Fire Department - payment on fire truck.

e. **Registrar and Electoral Board:**
$150.00 for the Registrar and Electoral Board to attend one day seminar in Richmond.

Mr. Carter made a motion seconded by Mr. Moore to approve the Consent Agenda (items 6 through 15e, with the exception of 8a) as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick asked if any one had any questions regarding the Information Items.

Mr. Kendrick asked Mr. Carroll about the $50,000 the Appomattox Youth Sports Inc. has committed to the completion of the Community Park. Mr. Carroll stated it was his understanding that this money could be used as matching funds in grant applications.

Mr. Carroll requested that the Board Members return old Board Book Binders as these binders are getting expensive and we would like to recycle them if possible. The other alternative is to staple the information together without using a binder.

Mr. Carroll reminded the Board of the VML/VACo Legislative Day on February 1, 2001. The cost of this session will be $20.00 per person. Please let Mr. Carroll know if you wish to attend.

At 8:10 P.M. Mr. Carter made a motion seconded by Mr. Carwile to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry Kendrick, Chairman

On January 8, 2001 at 7:00 P.M. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Mr. Jerry Kendrick, Chairman - Appomattox River District
Mr. Samuel Carter - Courthouse District
Mr. Russell H. Moore - Piney Mountain District
Mr. Frank H. Carwile - Wreck Island District
Mr. Jesse Hancock - Falling River District

ALSO PRESENT:
Mr. Andy Carroll - County Administrator
Mr. Brandon Stidham - County Planner.

At 7:00 P.M. Mr. Kendrick opened the Public Hearing and read the following statement regarding the purpose of the hearing:

The intent of this ordinance is to establish formal procedures and criteria for naming roads as part of the county's Enhanced 9-1-1 Program. The ordinance consists of two separate road naming processes, one to initially name the county's roads and another for the ongoing naming and renaming of roads. In order to initially name roads quickly and efficiently, the following restrictions are established by this ordinance:

1. A moratorium is placed on all requests to name or re-name roads outside of the process established by this ordinance. Once names have been initially approved, the moratorium shall be lifted.

2. All public roads and private roads with 3 or more occupied building shall be named.

3. Where feasible, road names already in place in the Towns of Appomattox and Pamplin will be preserved, as well as streets named by developers or neighborhood committees in the County.

4. Roads crossing into the County from adjacent jurisdictions will retain the name given by that jurisdiction, where feasible.

5. Names with historic or geographic value will be preferred as they are descriptive of the roads and the community through which they pass. Personal or family names will be avoided to prevent conflicts that can result in harmful delays to the implementation of E-911 by the state mandated deadline of July 1, 2003.

At this time, the Appomattox County Board of Supervisors will receive comments from the public regarding this proposed ordinance. Please note that this public hearing is not the appropriate forum for the suggestion of road names. Forums for these suggestions will be established once the road naming ordinance is formally adopted.

Mr. Kendrick asked for anyone wishing to speak to please come forward and give their name and address.

Mr. Evans Thomas, of Route 4, Box 227, Appomattox, Va came forward. He has a question regarding Section 133-3, paragraph E, which are the guidelines for naming and renaming roads. The names we give to these roads describe not only the history or historical places, people, monuments, but it describes as well, the historic significance of people and/or landmarks. I find that two of the paragraphs in Section E could use some modification as you go through this prior to approval. The first is sub-paragraph 3, Use one and two syllable names. This will eliminate a lot of names, like Rosebower or Martin Luther King. The other one is sub-section 6, avoid the use of personal or family names, except in the case of local historical figures. Clearly historical figures are very important in Appomattox. Just look around this room. I would ask that you amend these two sub-sections to read discourage the use rather than avoid the use of family

names. I ask that you look at these two sections when you decide to adopt this ordinance. Thank you.

Mr. Tom Schmutz, of Route 2, Box 87, Concord. Mr. Schmutz stated he realizes the E911 is a big undertaking for the County and he has just one problem. Once the addresses are set, please leave them set and not be changing them. He would appreciate anything that you can do regarding this.

Mr. Kendrick asked if anyone else wished to speak.

At 7:07 P.M. Mr. Kendrick declared the public hearing closed.

Jerry Kendrick, Chairman

At 6:00 P.M. on Monday, January 22, 2001 the Appomattox County Board of Supervisors held it's regular meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry Kendrick, Chairman - Appomattox River District
Sammy Carter - Courthouse District
Frank H. Carwile - Wreck Island District
Jesse Hancock - Falling River District
Russell H. Moore - Piney Mountain District

ALSO PRESENT: Andy Carroll - County Administrator
John Spencer - Assistant County Administrator
Brandon Stidham - County Planner

At 6:00 P.M. Mr. Kendrick called the meeting to order and asked Mr. Moore to give the invocation

Mr. Kendrick then invited Ms. Barbara Bennett to address the Board on behalf of the Region 2000 Regional Commission.

Ms. Bennett came forward and introduced Mr. Bill Gillespie, the new Executive Director of Region 2000 Regional Commission. They are here tonight to present the Industrial Park that Region 2000 is working on.

Mr. Gillespie stated he was excited to be working in the position he is in and that he looked forward to working with the County and the Town of Appomattox.

Ms. Bennett then presented the plans for a regional industrial park and invited the County to

participate in this project. (See January 2001 Board File) Ms. Bennett stated that the Regional Commission was created in order to set up projects that would involve more than one jurisdiction. The Regional Industrial Park is something that the Commission has been looking at for some time. They identified some land and had it evaluated. One piece of land became available last year and they have an option on this property. Eight jurisdictions have been presented with this project and the response has been very positive. Each jurisdiction will own some share of this project. If all the jurisdictions are a part of this project, the stronger it will be.

Although Appomattox is already just getting their own industrial park started and are committed to this, participation in the Regional Park will be an investment in the future and a chance to diversify holdings.

Each jurisdiction that buys shares in this project will have a representative in the Managing Committee and a vote on all decisions. Decision to join this project needs to be made by the end of February with the first payment becoming due in July 2001 - FY 02. The purchase of 300 shares would allow you to buy land. A prospectus would be available to the County for review by the end of January, 2001.

Mr. Kendrick questioned the voting rights. Does each jurisdiction have an equal vote regardless of the number of shares purchased? He stated he liked the idea and wished this had come about some five years earlier.

Mr. Carwile had a question regarding the debt service and share costs if not all shares are sold.

Ms. Bennett informed Mr. Carwile that the share cost would not increase if all the shares are not sold.

Mr. Kendrick thanked and excused Ms. Bennett and Mr. Gillespie.

Mr. Kendrick next called David Covington and Joel Meissner to come forward regarding the Community Park.

Mr. Meissner began by introducing the Community Park Committee: Gary Gilliam, Ann Dixon, Dale Campbell, Brian Robinson and Andy Carroll.

This group decided to be called the Appomattox Community Park Committee rather than the Sports Complex Committee as they feel this will be a park for the whole community and not just a sports complex. They want something there for everyone from youngster to senior citizens. The Boy Scouts have agreed to do Eagle Scout projects for a lot of the trails, etc. The funding to date comes to $151,000 with $40,000 of that coming from the sale of property donated to the County for soccer fields; $60,000 from the school property; $50,000 from the Appomattox Youth Sports and $1,000 recently donated by Colonial Pipeline to be used for landscaping purposes. Mr. Meissner discussed the drawing done by Dewberry & Davis and the location of the hiking trails.

Some work on the field has already begun. David Sandman and Robert Tillotson are looking into

clearing plans and to assess the value of the trees. Most of the larger hardwood has already been taken from the property and what remains is valued at about $363.00. Soil and Erosion plans are being worked on in the soccer field area only.

Gary Gilliam has volunteered to be the Volunteer Coordinator.

They will be putting together a financial committee to seek grants and donations both corporate and private. They are not at the present time asking for any support from the County.

They are also planning to erect a sign advertising the "Future Home of the Appomattox Community Park" to generate interest.

There was some discussion regarding football fields, road entrance, etc.

Mr Kendrick thanked the Committee for appearing and also for their hard work.

Mr. Kendrick next called for Supervisors Concerns. None were presented.

At 6:45 P.M. Mr. Kendrick recessed the meeting until after the 7:00 P.M. Public Hearing.

At 7:06 P.M. Mr. Kendrick reconvened the Board of Supervisors Meeting with Mr. Hancock in the Planning Commission Meeting.

Administrative Items was the next order of business:

1. Investment of Loan Proceeds: Mr. Carroll advised the Board on the status of the Elementary School Loan. After evaluating the portfolio of Sun Trust and the SNAP proceeds and discussing these portfolios with Davenport & Company, they recommend that we put the money in a SNAP account which would change the Sun Trust relationship from investment advisor to a trustee.

Mr. Carter made a motion seconded by Mr. Moore that the Board accept the proposal to put the funds in the SNAP account as recommended by Davenport & Company and Mr. Carroll. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Hancock not present.

2. New Elementary School Reimbursement: At a previous meeting the Board had stated it wanted to be reimbursed for funds expended for the New Elementary School Project. The total reimbursement to the CIP Account is $615,882.20, representing $451,830.20 for Architectural and Engineering work and $164,052.00 for the property. These funds could be transferred after the monies have been placed in the SNAP Account.

Mr. Carwile made a motion seconded by Mr. Kendrick to transfer $615,882.20 from the Loan Proceeds SNAP account to the CIP account for reimbursement for funds spent by the Board to the Elementary School Project. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Hancock not present.

3. E911 Road Naming Ordinance Adoption: The Board needs to adopt the Road Naming Ordinance as recommended by the Public Safety Committee. Also each Board member needs to suggest someone from his district to serve on the Road Naming Committee.

There was some discussion regarding the recommendations made by Evans Thomas at the last meeting on E911 Road Naming. The Public Safety Committee has revised 133-3(E)(3) of the Ordinance to read "Encourage the use of one and two syllable names". The Committee, however, did not change 133-3(E)(6) to allow the use of family names as this has caused costly delays in other jurisdictions.

Mr. Carter made a motion seconded by Mr. Moore to adopt the E911 Road Naming Ordinance as presented by the Public Safety Committee. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Hancock not present.

Mr. Hancock rejoined the Board Meeting.
The Board presented the following citizens to serve on the Road Naming Committee:

Steven Conner - Courthouse District by Mr. Carter
Hunt Hamilton - Piney Mountain District by Mr. Moore
Kevin O'Brien - Appomattox River District by Mr. Kendrick
Jerry Harvey - Wreck Island District by Mr. Carwile
Darlene Reed - Falling River District by Mr. Hancock

Mr. Carter made a motion seconded by Mr. Kendrick to accept the above nominees from each district to serve on the E911 Road Naming Committee. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. Abandoned Car Ordinance: There have been some complaints received concerning the existing abandoned car ordinance regarding the nylon tarps (blue or orange) as being more of an eyesore than the vehicles themselves. A public hearing would be required to change this ordinance.

After much discussion, the Board chose not to make any changes to the ordinance at this time.

5. School Resource Officers: The Sheriff is requesting the Board adopt a resolution of support for the grant application for the School Resource Officer Program in the school system.

Mr. Kendrick stated that this resolution has been adopted in the past.

After much discussion, Mr. Carter made a motion seconded by Mr. Kendrick to adopt the following resolution of support for the grant application for the School Resource Officer Program.

Resolution of Support for School Resource Officer Grant

WHEREAS, the Appomattox County Board of Supervisors, Sheriff's Department, and Appomattox County School Board have cooperated in the past in the support of and operation of the School Resource Officer Program, and

WHEREAS, the Board of Supervisors recognizes the value and the important community outreach that this program produces both at the present time and in the future; and

WHEREAS, the Virginia Department of Criminal Justice Services has grant funds available to continue this program in Appomattox County,

NOW THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors fully supports the School Resource Officer Program grant application for continuing this valued program within the Appomattox County School System.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

6. Piedmont Geriatric Association: The Piedmont Geriatric Association is requesting that the Board adopt a resolution of support to the Virginia General Assembly for continued operation of the Piedmont Geriatric Hospital in Nottoway County. They are also requesting financial support for lobbying efforts to keep this facility open.

There was some discussion regarding what previous Boards have done regarding this facility. The Board decided to adopt the resolution of support but did not offer any financial support at this time.

Mr. Kendrick made a motion seconded by Mr. Carter to adopt the following resolution:

RESOLUTION
CALLING ON THE VIRGINIA GENERAL ASSEMBLY
TO CONTINUE OPERATIONS AT
PIEDMONT GERIATRIC HOSPITAL

WHEREAS, a recent state report delivered to Governor Gilmore recommends that Piedmont Geriatric Hospital should be closed despite its long history of exemplary service to the citizens of the Commonwealth, many of whom have required the specialized services that Piedmont alone has and continues to be able to deliver; and,

WHEREAS, Piedmont Geriatric Hospital is a fully functioning hospital serving the needs of geriatric patients with moderate to severe mental illness by utilizing skilled medical personnel and state-of-the -art evaluation and diagnostic services and is not comparable to privately operated nursing homes; and,

WHEREAS, Piedmont Geriatric Hospital, recognized by Virginia's medical community as a leader in gero-psychiatric medicine and research, has and continues to serve the Commonwealth in the training of health care providers that enable geriatric and psychiatric institutions to better serve citizens across the state and nation; and,

WHEREAS, a recent review by the Joint Commission of Accredited Health Care Organizations, which is an independent accreditation organization, gave Piedmont Geriatric Hospital an excellent

rating of ninety-four per cent and cited no deficiencies in either patient care or building suitability; and,

WHEREAS, the Commonwealth has yet to devise a medically superior, more compassionate alternative to those citizens in need of the unique care that Piedmont provides,

THEREFORE, BE IT RESOLVED by the Appomattox County Board of Supervisors, Appomattox, Virginia, that it respectfully requests the Governor, the members of the Virginia State Senate and the members of the Virginia House of Delegates remove Piedmont Geriatric Hospital from any plan that recommends its closure, guaranteeing its continued service to the special needs of the Commonwealth's elderly citizens with mental illness.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

7. Central Virginia Disability Services Board: The Board at it's last meeting tabled this appointment. Since that meeting Mr. Carroll has learned that this appointee needs to be from a local government agency. What does the Board wish to do?

There was much discussion regarding this appointment.

Mr. Carter made a motion seconded by Mr. Hancock to appoint Andy Carroll to serve as Appomattox County's representative on the Central Virginia Disability Services Board. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick presented the next order of business, **Consent Agenda: (Items 8 - 13)**

8. Approval of Bills:

Bills for the month of Decmeber,2000 presented for payment.

9. Health Department Contract Amendment:

The Health Department is requesting the Board to authorize Mr. Carroll or the Chairman to execute the Amendment to the Statement of Agreement. This does not increase local funds. Mr. Carroll is requesting the Board authorize him to execute the Budget Admendment.

10. Old Landfill Balers: Mr. Carroll is requesting permission to sell two (2) small cardboard balers that were used prior to the establishment of the current bailing facility. These balers are no longer needed for our current operation.

11. Board Appropriations:

a. Sport Complex Special Account: Please appropriate $1,000.00 to this account for a donation received for landscaping.

b. Building Permit Refund: Please appropriate $34.91 from 1101-5803 - Refunds to pay Mr. Joel Dawson for a building permit issued and since has been changed.

12. Supplemental Appropriations:

a. Library: Mr. Carroll is requesting to close out the special Library fund at the Treasurers office and add the $10,317.07 balance to line item 7301-5840 - Special Library Fund. This represents monies donated and appropriations from this line item would be approved by the Library Board. Any funds remaining at the end of the fiscal year would automatically be rolled over to the next.

b. Sheriff's Department: Supplement line item 3102-5410 - Uniforms by $4,081.70 to reflect funds received from a grant.

c. Property Tax Refund: Appropriate $14,736.05 to 1101-5803 - Refunds as requested by Mr. Mayes for refund of property tax.

d. Sands, Anderson, Marks & Miller: Appropriate $6,502.34 from 1204-3002 - Professional Services to cover legal services pertaining to employment matters, zoning issues and right of way.

13. Convention & Education: Mr. Carroll is requesting that Mrs. Phelps of his office attend the Virginia Conference for Assistants seminar at an approximate cost of $200.00

Mr. Carter made a motion seconded by Mr. Carwile to approve the Consent Agenda (Items 8-13) as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick read the **Information Items (14 - 16)** and asked if there were any questions. Mr. Carroll discussed item 16 - Budget Request. He will not bring Budget requests to the Board until the budget process actually begins. Some departments that receive funds from the State will not have their budget requests until after the first of March.

Mr. Kendrick requested that the budget be presented to the Board in a more defined order and not as last year.

At 7:50 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to adjourn the meeting. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

Jerry Kendrick, Chairman

At 7:00 P.M. on Monday, January 22, 2001 the Appomattox County Board of Supervisors and the Appomattox Planning Commission held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: (Board of Supervisors)
Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)
Al Sears - Chairman
Kevin O'Brien
C. A. Moore

Jesse Hancock
Calvin Tanner
Wayne Lewis
Robert Johnson
W. H. Carson

ABSENT: (Planning Commission)
Jim Sefter
Elizabeth Edwards

ALSO PRESENT:
Andy Carroll - County Administrator
John Spencer - Assistant County Administrator
Brandon Stidham - County Planner

At 7:00 P.M. Mr. Kendrick called the Public Hearing to order and stated the purpose of the Public Hearing was to receive comments regarding several petitions for exceptions to the Appomattox County Zoning Ordinance. Mr. Kendrick also stated the guidelines for comments. Questions and discussion will be heard by the Planning Commission following the close of the Public Hearing.

Mr. Kendrick asked Mr. Stidham to read the first petition:

01-451 - Michael T. Powers: Conditional Use Permit to place self storage business on lot in B-1 district per Section 170-47 of the Appomattox County Zoning Ordinance. Property is located on Route 460 West between Route 609 and Route 608, Tax Map No. 60-(8)-11 and is zoned B-1.

Mr. Michael Powers of 1549 Cedar Bluff Trail, Marietta, Ga 30062 came froward and stated he would like to place a 194 unit self-storage facility with one (1) residential unit for on site security on this property. This would be an all paved, gated facility with little impact on utilities and no impact on schools. It would also provide a community service.

Mr. Stidham then read the next petition.

01-452 - Tracy M. Campbell: Variance to Section 170-80 of the Appomattox County Zoning Ordinance pertaining to side yard setback requirements. Property is located on Route 608 between Route 26 and Route 712. Tax Map No. 38(A)103A and is zoned A-1.

Mr. Randy Campbell of Route 3, Box 318, Appomattox, came forward and stated that his side yard is not consistent with the Code. Somehow the mobile home was put to close to the line.

Mr. Stidham read the next petition.

01-453 - Clayton C. Bryant: Re-zone property from B-1 to M-1 with conditional use permit to

allow truck and trailer storage and repairs and contractor facilities to include sandblasting. Property is located on Route 609 between U. S. Route 460 West and Route 608, Tax Map No. 60-(9)-5 and is zoned B-1.

Mr. Steven Connor came forward and gave his address as P.O. Box 1091, Appomattox. Mr. Conner stated he was representing Bobby Moore of BEMCO, Inc. and Mr. Bryant who is selling the property to Mr. Moore, who already has the adjacent property. This is just an extension of the property and the activities on the adjacent property.

Mr. Stidham asked for any other comments.

At 7:05 P.M., hearing no other comments and having no other petitions to present, Mr. Kendrick declared the public hearing closed.

Jerry Kendrick, Chairman

On February 5, 2001 at 6:00 p.m., the Appomattox County Board of Supervisors held its regular meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Present: Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
John K. Spencer, Jr. - Assistant County Administrator

At 6:01 P.M. Mr. Kendrick opened the meeting and gave the invocation.

Mr. Kendrick called Mr. Hal Craddock of Craddock-Cunningham Architectural Partners to appear before the Board to give an update on the status of the Courthouse Renovation Project. Mr. Carddock along with Shann Arrington came forward. They have been working with Blair Construction Company with the estimating costs to keep this within the 2.5 million dollar budget. Mr. Craddock gave each member a preliminary sketch of the project with estimated costs. The renovated section with approximately 7000 sq. ft. will cost approximately $85.00 per square foot. The new addition with two (2) levels consisting of approximately 10,875 square feet will cost around $120.00 per square foot. Mr. Craddock feels the judge has been very helpful in helping to keep the cost within budget.

Mr. Craddock, and Mr. Arrington feel we need a contingency fund of approximately 7% on the

renovation and 3% on the new construction giving us an $82,000 cushion to use to make this thing work. Also there is approximately $30,000 for additional windows. One wing of the old jail building will need to be removed for the construction of the new section on the back of the courthouse. However, Mr. Craddock feels since both of the wings have no historical value, they should both be removed.

Craddock-Cunningham reduced their fee from 13% to10%. With the add/alternates they feel we need, the estimated total cost would be around $2,783,250.

Several members of the Board had questions regarding a pitched roof, vinyl/wood siding, and seating capacity inside courtrooms.

Mr. Kendrick thanked and excused Mr. Craddock and Mr. Arrington.

There was a lengthy discussion concerning executing a contract with Craddock-Cunningham.

Mr. Moore made a motion seconded by Mr. Carter to contract with Hal Craddock as architect for Courthouse Renovation based upon his work on the project.

Mr. Carwile stressed the need to really look at the additional 3,000 square feet on 3rd level with pitched roof to get space we need.

The motion was amended to include the level 3 pitch roof and added space VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The Sub-committee will execute the agreement with Mr. Craddock.

Mr. Kendrick then called for Supervisor's Concerns. Hearing none, Mr. Kendrick moved on to the **Administrative Items.**

1. **Biosolids:** One farmer and one contractor have contacted the County in regards to spreading biosolids. Mr. Carroll is requesting the Board to ask the Planning Commission to devise an ordinance that provides for public notification and complies with the State Code/Regulations and the Virginia Supreme Court's recent decision. (Ruben L. Blanton, et al. vs. Amelia County, et al.)

   After much discussion, Mr. Kendrick made a motion seconded by Mr. Carwile to present this issue to the Planning Commission for review and to have them come up with an ordinance for Biosolids. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. **Planning Commission Recommendations:** The Planning Commission has recommended approval of the following petitions as presented on January 22, 2001.

   #01-451 - Michael T. Powers: Conditional Use Permit to place self storage business on lot

in B-1 district per Section 170-47 of the Appomattox County Zoning Ordinance. Property is located on U. S. 460 West between Route 609 and Route 608, tax Map No. 60(8)11, and is zoned B-1.

Mr. Hancock made a motion seconded by Mr. Carwile to approve Petition #01-451 for Michael T. Powers as approved by the Planning Commission. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

#01-453 - Clayton C. Bryant: Re-zone property from B-1 to M-1 with conditional use permit to allow truck and trailer storage and repairs, and contractor facilities to include sandblasting. Property is located on Route 609 between U. S. 460 West and Route 608, Tax Map #60(9)5, and is zoned B-1.

Mr. Carter is not in favor of approving this petition because the existing vans currently on Route 460 now are visible since all the forest has been cleared. He feels the Planning Commission needs to come up with a review process to keep the County beautiful and have some stipulations on screening or setbacks .

Mr. Carwile stated that the Planning Commission recommended approval of these two petitions and that is the issue before us. We should support the Planning Commission Recommendations.

Mr. Kendrick stated he feels we should include matters concerning storage and screening of certain types of plan review in the new Comprehensive Plan to protect the beauty of the land.

After much discussion, Mr. Hancock made the following motion seconded by Mr. Carwile: "For reasons of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Board of Supervisors moves to approve petition 01-453 of Clayton C. Bryant to re-zone a parcel of land located at Tax Map #60(9)5 from B-1 to M-1". VOTE: Mr. Kendrick, nay, Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Bond Council Fees:** The Board needs to appropriate $12,879.86 from the Elementary School Loan to pay Sands, Anderson, Marks and Miller for bond council fees commencing February 2000 and continuing through the loan closing in December.

Mr. Carwile made a motion seconded by Mr. Carter to approve appropriation of $12,879.86 from the Elementary School Loan to pay Sands, Anderson, Marks & Miller for bond council fees with a supplemental appropriation to line item 1204-3002 - Legal Services. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. **Community Services Board:** The Community Services Board has made a resolution to change the name of the organization and allow the use of two trade names.

After some discussion regarding the background, Mr. Moore made a motion seconded by Mr. Carter to adopt the resolution from the Community Services Board to change the name

of the organization and allow the use of two trade names.

RESOLUTION

WHEREAS, pursuant to Section 37.1-194 et. Seq. Of the Code of Virginia (Chapter 10 of Title 37.1), the Counties of Amherst, Appomattox, Bedford, and Campbell and the Cities of Bedford and Lynchburg adopted a Charter Agreement dated June 15, 1970, establishing a Chapter 10 Board to provide certain mental health and mental retardation services in the Counties of Amherst, Appomattox, Bedford, and Campbell and the Cities of Bedford and Lynchburg.

WHEREAS, Section 1 of the Charter Agreement provided that the name of the Organization was "Community Mental Health and Mental Retardation Services Board of Central Virginia".

WHEREAS, subsequent to the establishment of this Chapter 10 Board, the services to be provided included not only mental health and mental retardation services but also drug treatment services.

WHEREAS, the Chapter 10 Board has, for a long period of time, traded under the shortened name "Central Virginia Community Services Board", and/or "Central Virginia Community Services", and now desires to formally change its name to Central Virginia Community Services Board. Further, it wishes to have the ability to use the names, and/or to operate certain of its programs and/or subdivisions using the name of Central Virginia Community Services and/or the name OneSource CSB.

WHEREAS, the name of the organization can be amended by adoption by the Boards of Supervisors of the Counties of Amherst, Appomattox, Bedford, and Campbell and the City Councils for the Cities of Bedford and Lynchburg of a resolution amending Section 1 of the Charter Agreement.

BE IT THEREFORE RESOLVED, that Section 1 of the June 15, 1970 Charter Agreement is amended in its entirety to be as follows:

> "Section 1. Name of the Organization shall be Central Virginia Community Services Board. Central Virginia Community Services Board, its programs, and its subdivisions may, as determined by its board, trade under the names Central Virginia Community Services and/or OneSource CSB."

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

5. **Administrator's Update:** Mr. Carroll asked if the Board had any questions regarding any item in this report.

Mr. Carter had some questions regarding the display of art work in the County Offices representing local artists.

Mr. Carwile questioned the additional amount of foot traffic that this art display may create, and if it would result in disrupting the work of the office.

By consensus, the Board agreed to try this arrangement on a trial basis.

There was also some discussion regarding the Comprehensive Plan and its purpose. Mr. Spencer explained the Comprehensive Plan to the Board.

Mr. Kendrick had some questions about redistricting.

Mr. Carroll told the Board that the results from the Census had not been released and is not expected to be ready before sometime in March. When the data comes in he does not see a big change in the districts. There may be some changes in the voting precincts locations due to handicap accessibility, etc. The Board may want to address this at the next meeting.

Mr. Kendrick next presented the **Consent Agenda: (items 6 and 20)**

6. **Approval of Minutes:** Minutes for the Regular Meeting on November 20, 2000; Public Hearing of November 20, 2000; Joint Meeting with Town Council on November 27, 2000; Public Hearing on Six Year Secondary Road System on December 4, 2000; Public Hearing on Enhanced 911 Service on December 4, 2000; Regular Meeting on December 4, 2000; Recessed Meeting on December 7, 2000; Joint Meeting with IDA and School Board on December 18, 2000; and the Public Hearing of December 18, 2000.

7. **Approval of Bills:** Bills for January 2001.

ADMINISTRATIVE ITEMS:

8. **Landfill Disposal Policy:** Rev. Ronald Davidson of Gleaning for the World, Inc. a non-profit organization is asking that the County waive their landfill disposal fees. The Board may wish to look into developing a comprehensive policy regarding this sector.

9. **Appomattox Youth Sports:** The Appomattox Youth Sports is requesting permission to put up a storage shed at the County Ball Park for the storing of sports equipment. Mr. Carroll is suggesting the following conditions: 1) that the County is not responsible or liable for vandalism or theft; 2) the building be placed in a manner and location acceptable to the County Recreational Staff; 3) the building will be removed at the request of the recreational staff if its presence becomes a hindrance to the operations of the County's recreational programs or is not maintained properly; and 4) that the building is not connected to any utilities.

10. **Convention/Education Request:** Mr. Stidham and two members of the Board of Zoning Appeals are requesting to attend the Virginia Certified Board of Zoning Appeals Program at a cost of approximately $1,410.00.

BOARD APPROPRIATIONS:

11. **After Prom Party:** The After Prom Party Committee is requesting a donation from the Board. $250.00 was budgeted in line item 7109-5614 for this purpose.

12. **Law Library:** Bills for purchases for the Law Library in the amount of $1,900.62.

13. **Commonwealth's Attorney:** The Commonwealth Attorney is requesting an additional $250.00 to cover improvements to his office.

SUPPLEMENTAL APPROPRIATIONS:

14. **Landfill:**
    a. **Equipment-Computer:**
    Please supplement 4204-7001 Equipment for $882.88 received from insurance company for stolen computer equipment.
    b. **Repair/Maintenance Bailer:**
    Please supplement 4204-5407 Repair/Maintenance for $617.78 payment received from Marathon Equipment Company for repairs made by landfill staff to bailer.
    c. **Litter Grant:**
    Please supplement 4206-5413 Litter Grant for $646.00 to reflect funds received from DEQ.

15. **Sheriff's Department:**
Please supplement 3102-3004 Repair/Maintenance for $72.00 reimbursement from Elecom for over payment.

16. **Electoral Board:**
Please supplement 1301-3002 Professional services for $1,200.00 to repair and maintain the 15 voting machines as requested by Electoral Board.

17. **Property Tax Refund:**
Please supplement 1101-5803 Refund in the amount of $2,224.57 for refund of property tax. This amount was inadvertently left out of the request at the last meeting.

LINE ITEM TRANSFER:

18. **Landfill:** To reflect actual budget expenditures for fiscal year:

Delete: 4204-1001- Salaries $7,819.00
4204-5408- Vehicle/Power Equip. $5,000.00
4204-3002 -Professional Services $10,000.00
4203-1001- Salaries $54.33

ADD: 4204-1003- PT Salaries $6,819.00
4204-3007-Advertising $300.00
4204-5405-Janitorial $700.00
4204-5407-Repair/Maintenance $5,000.00
4204-3004 - Repair/Maintenance $10,000.00
4203-5407- Repair/Maintenance $54.33

Planner: To more accurately reflect budget expenditures for fiscal year.
$100.00 from 8104-3007 Advertising to 8401-5401 Office Supplies
$50.00 from 8104-3007 Advertising to 8104-5201 Postage
$200.00 from 8112-3007 Advertising to 8112-5401 Office Supplies

County Administrator: To cover anticipated expenditures.
Delete: 1201-1001 - Salaries $50,000.00
ADD: 1101-3002 Professional Services - $25,000.00
1204-3002 Legal Services - $25,000.00

Mr. Carter made a motion seconded by Mr. Hancock to approve the Consent Agenda (items 6 - 20) as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr.Kendrick called for comments on the **Information Items: (items 21-30)(see Board File)**

Mr. Carwile initiated a discussion on the Regional Industrial Park. He expressed concern with putting more tax burden on the taxpayers. It seems to be a good idea but he would be in favor of waiting to see the results of the tax dollars.

Mr. Moore stated he had heard from several people who are upset with this idea and are totally against this concept due to the fact it is so far from us. He does not feel we would ever reap any benefits from this park.

Mr. Carter agrees with both Mr. Moore and Mr. Carwile that this concept would be beneficial to Bedford County but not for Appomattox County. He could in no way approve joining this Regional Park effort.

Mr. Kendrick likes the concept but since we have already started our own industrial park, he agrees with the rest of the Board. This will be on the agenda for the February 20th meeting and at that time we will take a vote.

At 7:40 P.M. Mr. Carter made a motion seconded by Mr. Moore to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry Kendrick, Chairman

On Tuesday, February 20, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held it regular meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:

Andy Carroll - County Administrator
John K. Spencer, Jr. - Assistant County Administrator
Brandon Stidham - County Planner
Phyllis Katz - Attorney - Sands, Anderson, Marks & Miller

At 6:01 P.M. Mr. Kendrick opened the meeting and asked Mr. Hancock to give the invocation.

Mr. Kendrick explained that a closed session was necessary under Code Section 2.1-344(A)7 - legal issues and Code Section 2.1-344(A)1 - personnel matter.

At 6:02 P.M. Mr. Carter made a motion seconded by Mr. Moore to enter into a closed session to discuss a legal and personnel matter. Vote: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 6:58 P.M. on a motion by Mr. Carter seconded by Mr. Hancock it was resolved the Board of Supervisors return to regular session. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

On a motion by Mr. Carter seconded by Mr. Hancock the following resolution was adopted:
WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2..1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next called for Supervisors Concerns.

Mr. Carwile asked for a report on the status of Porter House Road as to who owns the property.

Mr. Carroll explained the question is to whether or not that property was conveyed when the subdivision was done. It does not appear that it was conveyed to the property owners by Mr. Gunter. The question is can we prove that it is Mr. Gunter's or not Mr. Gunter's. He has not been able to get in touch with the lawyer handling this. It may involve a title search of each property but it does not appear to be any quick and easy answers at this time.

Hearing no other Supervisors Concerns Mr. Kendrick called for a recess to the Public Hearing at 7:05 P.M.

Planning Commission did not have a quorum present, therefore, Mr. Kendrick re-opened the Board of Supervisors meeting.

1. **Regional Industrial Park:** At a previous meeting Mrs. Bennett made a presentation and presented the members with a prospectus of the Little Otter Regional Industrial Park and has asked that localities make a determination regarding their participation in the project before February 28th.

   After some discussion, the Board decided not to participate in this project, as we have already created an Industrial Development Authority and started our own industrial park.

Mr. Carter made a motion seconded by Mr. Carwile to not participate in the Regional Industrial Park project. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick stated the Planning Commission now had a quorum and he recessed the Board Meeting and opened the Public Hearing.

At 7:16 P.M. Mr. Kendrick reconvened the Board Meeting with all present except Mr. Hancock who was in the Planning Commission meeting.

2. **Resolution Amending Strategic Plan:** Region 2000 Regional Commission is asking the Board to adopt a Resolution that will allow them to change the Region 2000 Regional Commission Strategic Plan. This is necessary for them to develop joint projects through the auspices of the Commission.

On a motion by Mr. Moore seconded by Mr. Carter the Board voted to adopt the following resolution:

RESOLUTION IN SUPPORT OF AMENDING THE 1997-2002 REGION 2000 REGIONAL COMMISSION STRATEGIC PLAN

WHEREAS, The Central Virginia Planning District Commission (CVPDC) Strategic Plan (1997-2002) provided strategies and projects the commission would pursue in the enhancement of the quality of life in Region 2000: and,

WHEREAS, The CVPDC has been reorganized and renamed the Region 2000 Regional Commission; and,

WHEREAS, The selection of services offered by the now Commission to localities will be broadened to include project development, project management, and the provision of various financial/administration support services; and,

WHEREAS, In order to qualify for assistance under State and Federal grant programs that provide funding for such projects as regional industrial parks an amendment to the current strategic plan is required; and,

WHEREAS, It is the intent of the Commission to incorporate this amendment, which will include additional strategies and projects in Region 2000, as a part of the existing 5 year plan.

NOW, THEREFORE, BE IT RESOLVED, That the Appomattox County Board of Supervisors hereby adopts Amendment No. 1 to the 1997-2002 Region 2000 Regional Commission Strategic Plan and further supports the use of this document as the planning and project implementation guide for the Region 2000 Regional Commission participating local governments.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye and Mr. Moore, aye. Mr. Hancock not present.

3. **Road Naming Time Line and Work Plan:** The Road Naming Committee is asking the Board to officially adopt a schedule for completion of the road naming portion of the E911 project.

Mr. Carter stated that he felt the Committee was very dedicated to this project and was in favor of adopting this schedule.

Mr. Carwile stated that Mr. Jerry Harvey who he appointed to this committee has resigned effective immediately, plus two of those citizens Mr. Harvey asked to serve with him have also resigned. This leaves only one person in the Wreck Island District working on this project. Mr. Carwile will make some calls and hopefully get these replacements soon.

Mr. Carter made a motion seconded by Mr. Moore to accept the Road Naming Committees Time Schedule for the E911 Project. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock not present.

4. **Board of Building Code Appeals:** Mr. Mason, Building Inspector, has asked the Board to consider appointing a Board of Building Code Appeals to act to resolve building code disputes that may arise between Contractor and the building official.

There was some discussion as to whether or not we really need this type of Board of Appeals

By consensus, the Board agreed to gather more information and discuss this at the next meeting on March 5th.

Mr. Kendrick presented the next item for consideration:
Consent Agenda: (Items 5 - 13)

5. **Approval of Bills:** The Board needs to approve the bills for February, 2001.

SUPPLEMENTAL APPROPRIATIONS:

6. **Landfill:**
   a. Supplement 4208-1003 Salaries - $2,500.00 to reflect payment received from Emanuel Tire for gate keepers.
   b. Supplement 4204-3002 Professional Services by$227.64 to reflect payment from Cabell Insurance for repair to fire alarm.

7. **Sheriff's Department:**
   Supplement 3301-5402 Food Services by $19,000.00. This increase is due to larger than expected inmate population for current year.

There was some discussion regarding this request. The Board has asked that Mr. Carroll prepare a Comparative Analysis on the cost per average inmate; what it costs to keep an inmate here for food vs. others; and what is the cost of the jail to Appomattox citizens.

8. **Library:**
   Supplement the following for fees and/or funds received:
   a. 7301-5401 Office Supplies $155.65
   b. 7301-5411 Books $38.25
   c. 7301-5415 Summer Reading $147.96.

9. **County Administrator:**
   Supplement 1201-2006 Life Insurance by $330.00 for payment received from individual due to an error in the optional life insurance payroll deduction.

10. **Circuit Court Clerk's Office:**
    Supplement 2106-7001 Equipment by $765.00 for equipment. Reimbursement will be made from technology fund when payment is received.

11. **Virginia Economic Developers Association:**
    Supplement 8101-6003 for VEDA membership dues or John Spencer.

Mr. Carwile had a question regarding dues to various organizations. Mr. Carroll provided the necessary answers.

LINE ITEM TRANSFER:

12. **Landfill:**
    Transfer $10,000 from 4302-1001 Salaries to 4203-5408 Vehicle Power Equipment.

BOARD APPROPRIATIONS:

13. **Craddock-Cunningham:**
    Appropriate $10,082.38 from 4302-7009 Capitol Outlay to Craddock-Cunningham for Courthouse Renovation.

Mr. Carter made a motion seconded by Mr. Moore to approve the Consent Agenda as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye and Mr. Moore, aye. Mr. Hancock not present.

Mr. Kendrick went over the Information Items (14-21) stating they were self explanatory and no vote was necessary.

Mr. Carroll called attention to Item 14 - The Extension Agency would like to invite the Board to a dinner at the Community Center on either March 5th or April 2nd at 5:00 P.M. They would like to

give the Board an update on their activities of the past year.

The Board feels that these dates are Board meeting nights and the time table is too tight. Another night would be more suitable. Mr. Carroll will inform the Extension Agency of the Board's decision.

There was some discussion on the adoption of the State Budget and it's impact on our ability to finalize the County Budget.

At 7:55 P.M. Mr. Moore made a motion seconded by Mr. Carter to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile and Mr. Moore, aye.

Jerry Kendrick, Chairman

At 7:05 P.M. on February 20, 2001 the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox Town Council held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Due to the Planning Commission not having a Quorum of its members present, Mr. Kendrick closed the Public Hearing and reconvened the Board of Supervisors' Meeting.

At 7:09 P.M. Mr. Kendrick re-opend the Public Hearing.

PRESENT: (Board of Supervisors)
Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)
Al Sears, Chairman
Kevin O'Brien
Jesse Hancock
Robert Johnson
W. H. Carson
Calvin Tanner
Jim Sefter

ABSENT: (Planning Commission)
C. A. Moore
Wayne Lewis

Elizabeth Edwards

ALSO PRESENT:

Andy Carroll - County Administrator
John K. Spencer, Jr. - Assistant County Administrator
Brandon Stidham - County Planner
Phyllis Katz - Sands, Anderson, Marks & Miller

Mr. Kendrick stated the purpose of the Public Hearing and gave instructions asking that comments be reserved to petitioners, and those speaking for or against the petitions. All other discussion will be heard by the Planning Commission in their meeting.

Mr. Kendrick then asked Mr. Stidham to read the first petition:

01-454 - Robert Stephens: Variance to Sections 74-180 and 74-182(2) of the Town of Appomattox Zoning Ordinance pertaining to front and rear yard setbacks. Property is located on Atwood Street between Highland Street and Lee Street, Tax Map #64A5(A)127 and is zoned R-2.

Having no one speak for or against the petition, Mr. Stidham read the next petition.

01-455 - Kenneth and Constance Dean: Conditional Use Permit to place second dwelling on lot per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 629 between Rt. 630 and Rt. 628, Tax Map #109(A)25B and is zoned A-1.

Kenneth and Constance Dean of Route 1, Box 489, Appomattox, came forward and stated that they were trying to give their daughter a place to live while going through a divorce.

No other comments.

01-456 - Marilyn P. Creamer: Conditional Use Permit to place second dwelling on lot per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 616 between Rt. 627 and Rt. 614, Tax Map #67(A)3B and is zoned A-1.

George Creamer of Route 2, Box 535, Appomattox came forward and stated his mother was the property owner and they need an extra bedroom.

No other comments.

01-457 - Wesley Thacker and William Bryant: Conditional Use Permit to place a second dwelling on lot per Section 170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 610 between Rt. 609 and Route 670, Tax Map #46(2)47 and is Zoned A-1.

William Bryant, Box 113K, Concord, Va. Came forward and stated they wished to place a second dwelling on this property.

No other comments.

01-458 - Everett J. Moore: Conditional zoning request to operate a stone quarry per section 170-10 of the Appomattox County Zoning Ordinance. Property is located on Route 611 between Rt. 683 and Rt. 26, Tax Map #17(A)33, and is zoned A-1.

Mr. Kendrick called for comments.

Hearing no comments and there being no further petitions Mr. Kendrick closed the public hearing at 7:16 P.M.

Jerry Kendrick, Chairman

At 6:00 P.M.. on Monday, March 5, 2001, the Appomattox County Board of Supervisors held it's regular monthly meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA, 24522.

PRESENT:

Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:

Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator

At 6:00 P.M., Mr. Kendrick called the meeting to order and asked Mr. Carter to give the invocation.

Mr. Kendrick stated that it was necessary to enter into a closed session in accordance with §2.1-344(A)-1 personnel matters.

At 6:02 P.M. Mr. Carter made a motion seconded by Mr. Moore to enter into closed session to discuss a personnel matter.

At 6:35 P.M. on a motion by Mr. Carter seconded by Mr. Moore it was resolved that the Board return to regular session. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:
WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date

pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Kendrick next called for Supervisor's Concerns

Hearing none, Mr. Kendrick addressed the **ADMINISTRATIVE ITEMS: (Items 1-11)**

1. **Redistricting:**
   The Board discussed the proposed action plan for the Redistricting process. The plan included the formation of an Advisory Committee consisting of a member of the Board of Supervisors, a member of the School Board, a member of the Electoral Board, the County Registrar and a citizen representative.

After some discussion the Board, on a motion by Mr. Moore seconded by Mr. Carwile, voted to adopt the Redistricting proposal. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The Board by consensus appointed Jesse Hancock to serve on the Advisory Board as the representative of the Board of Supervisors.

2. **Telecommunications Facility Ordinance:**
   The Planning Commission has submitted the final draft of the Telecommunications Facility Ordinance for review and if the Board is agreeable, set a date for a public hearing

After discussion, the Board members felt this was a well documented ordinance.

Mr. Carter made a motion seconded by Mr. Carwile to schedule a public hearing on this ordinance on Monday, April 2, 2001 at 7:00 P.M. at the Appomattox County Courthouse. VOTE: Mr. Kendrick aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Planning Commission Recommendations:**
   The Planning Commission has submitted the following recommendations from the February 20, 2001 meeting.

Mr. Carwile stated that the Planning Commission has recommended approval of Petition 01-458 - Everette J. Moore. However, the Board has before it tonight a letter from a concerned citizen expressing concerns regarding this petition. He is not against the Planning Commissions recommendation but he does think and offers to the Board for consideration that based on this letter he believes that in equity and fairness to all that the Board should table this for further input.

Mr. Kendrick stated that since Mr. Carwile has already made comments on Petition 01-458 - Everette J. Moore that the Board act on this petition first.

> **01-458 - Everette J. Moore -** Conditional zoning request to operate a stone quarry per §170-10 fo the Appomattox County Zoning Ordinance. Property is located on Route 611 between Route 683 and Route 26, Tax Map #17(A)33 and is zoned A-1.

Mr. Moore stated the Planning Commission had recommended approval for this re-zoning. The Planning Commission did not recommend a mining operation. In order to do this Mr. Moore would have to meet all the conditions of the Federal and State regulations for mining operations. It is his understanding that the Planning Commission only recommended approval of the zoning, the mining operation does not come under our jurisdiction.

There was some discussion regarding the environmental issues.

On a motion by Mr. Kendrick seconded by Mr. Carwile, Petition #01-458 was refered back to the Planning Commission for further review. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye

Mr. Carroll asked the Board what type of information the Board needed from the Planning Commission regarding this petition.

Mr. Kendrick stated they needed environmental information and citizen's concerns

Mr. Kendrick called for action on the following petition:

> **01-455 - Kenneth and Constance Dean -** Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 629 between Route 630 and Route 628, Tax Map #109(A)25B and is zoned A-1.

On a motion by Mr. Moore seconded by Mr. Carter the Board voted to approve Petition 01-455 for Kenneth and Constance Dean. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

> **01-456 - Marilyn P. Creamer** and **01-457 - Wesley Thacker and William Bryant** were withdrawn by the applicants at the last Planning Commission meeting.

4. Timber Harvesting Contract:

The Board previously gave the School Board permission to sale the timber from the

Elementary School Site. The School Board has done the leg work on this sale. However, since the property is still owned by the County, Mr. Carroll is requesting permission to execute the timber contract, of Jack L. Ramsey, on behalf of the County.

On a motion by Mr. Carter seconded by Mr. Carwile the Board voted to adopt the Timber Harvesting Contract and give Mr. Carroll the authority to execute this contract on the County's behalf. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

5. Administrative Update:

Mr. Carroll addressed the items on the Administrative Update and asked if anyone had any questions regarding this report.

Mr. Carwile had some questions regarding the Porter House Road situation. Mr. Carroll will contact the County Attorney regarding this matter.

6. Board of Building Code Appeals:

This item was held over from the last meeting. According to the Virginia Uniform statewide Building Code (BBCA) we need to appoint at least five (5) members to this Board to resolve disagreements between the Building Official and Contractors (Citizens) regarding Building and Fire Codes, etc.

By consensus the Board agreed the BBCA will consist of five (5) members with three (3) making a quorum. The Board will review and make appointments at the next meeting.

7. Road Naming Committee Appointments:

The Board needs to appoint someone to the Road Naming Committee for the Wreck Island District to replace Mr. Jerry Harvey who has resigned.

Mr. Carwile stated that Mr. Harvey, along with two (2) members that he, Mr. Harvey, had selected have resigned from this Committee. Mr. Carwile has recommended Ms. Laura Kryeski as a replacement on this Committee. Ms. Kryeski has agreed to serve in this capacity.

Mr. Carwile made a motion seconded by Mr. Carter to appoint Ms. Laura Kryeski to the Road Naming Committee. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

8. Central Virginia Community Services Board:

Mr. Lynn Doss' term on the Central Virginia Community Services Board has expired. Mr. Doss is eligible for reappointment and is willing to serve another term. If appointed, Mr. Doss' term will begin January 1, 2001 and end December 31, 2003.

Mr. Moore made a motion seconded by Mr. Carwile to appoint Mr. Lynn Doss to another term on the Central Virginia Community Services Board running from January 1, 2001 to December 31, 2003. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

9. Region 2000 Board of Directors:

Claude Allen Moore has asked to be replaced on the Region 2000 Board of Directors. An appointment needs to be made from the private sector.

Mr. Kendrick asked that he also be replaced as the Board of Supervisors' representative on this Board.

Mr. Moore informed the other Board members that due to the nature of his business it was often difficult for C. A. Moore to attend the Region 2000 meetings.

Mr. Kendrick suggested that this appointment be tabled until the next meeting and that Mr. Carroll send Mr. C. A. Moore a letter thanking him for his service to the County.

Since Mr. Kendrick is now working out of town most of the time, it is very difficult for him to attend meetings, therefore, he would appreciate another member of the Board of Supervisors to replace him on the Region 2000 Board of Directors.

Mr. Kendrick made a motion seconded by Mr. Carwile to have Samuel Carter serve on the Region 2000 Board of Directors as the representative from the Appomattox County Board of Supervisors. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

10. Social Services Board:

Mr. David Austin's term on the Social Services Board will expire June 2001. Since Mr. Austin has served for two terms, he cannot be reappointed. An appointment needs to be made from the Appomattox River District.

Mr. Kendrick made a motion seconded by Mr. Hancock to appoint Mr. Willie Craft to the Social Services Board for a term beginning June 2001. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

11. Comprehensive Plan:

John Spencer has scheduled a meeting at 5:30 p.m. on April 30, 2001 at the Appomattox Community Center. The purpose of this meeting is to assist with the visioning process for the Comprehensive Plan. Expenses will include a box dinner and a speaker's fee of $200.00. Mr. Carroll is requesting the Board approve this meeting and the expenditures involved.

After a short discussion, Mr. Carter made a motion seconded by Mr. Moore to approve the proposed plan for the Comprehensive Plan Visioning meeting to be held on April 30, 2001. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick then asked the Board to consider the **Consent Agenda: (items 12-25)**

12. Approval of Minutes:

Minutes of the Organizational Meeting on January 3, 2001; Regular Meeting on January 22,

2001; Public Hearing on January 22, 2001; Regular Meeting on February 5, 2001; Regular Meeting on February 20, 2001 and Public Hearing on February 20, 2001.

13. **Approval of Bills:**
Bills to be paid as included in the attachment.

BOARD ACTIONS:

14. **Water Study Grant:**
As discussed in the joint meeting held in the fall, the Town of Appomattox plans to submit a CDBG grant for a water study. As part of the grant application, the Board of Supervisors must issue a letter of support for the project and also commit to funding $1,000.00 if the grant is awarded. Mr. Carroll is requesting the Board to approve this expenditure if the grant is received.

15. **Lyn-Cag Inc.:**
We have received a Certification of Local Approval for Lyn-Cag's HOPWA (Housing Opportunities for Person with AIDS) program. This program assists individual with HIV/AIDS, of a certain income level, with housing assistance. Mr. Carroll is requesting the Board authorize him to sign this Certification.

16. **Health Department:**
The Health Department is requesting permission to retain $1,242.93 in excess local funding to use for updating computer wiring.

SUPPLEMENTAL APPROPRIATIONS:

17. **Life Insurance:**
Please appropriate $37.16 to 1201-2006 Life Insurance to reflect payment received from Harold Hamlette to continue this coverage while applying for disability.

18. **Planning District Commission:**
Please appropriate $70.00 to 8101-6001 Planning District Commission, to reflect an increase in fees for current fiscal year that were not budgeted.

19. **Landfill:**
Please appropriate $1,178.80 to 4204-5407 Repair/Maintenance to reflect payment from Cincinnati Insurance Companies for baler repairs.

LINE ITEM TRANSFERS:

20. **General Properties:**
Please transfer $5,500.00 from 4302-3002 Professional Services to 4302-7001 Equipment to pay for replacement of an HVAC unit at the Library.

21. **Library:**
Please transfer the following
$450.00 from 7301-3004 Repairs & Maintenance

$ 150.00 from 7301-3007 Advertising
$2,000.00 from 7301-5203 Telecommunications
$2,250.00 from 7301-5411 Books
$5,570.00 from 7301-5414 Special Library Fund
$150.00 from 7301-7000 Building
$5,000.00 from 7301-7001
$15,570.00 to 7301-3002 Professional Services.

22. Landfill:
Please transfer $800.00 from 4204-3002 Professional Services to 4204-5401 Office Supplies.

BOARD APPROPRIATIONS:

23. Law Library:
Please approve requests from the Law Library in the amount of $157.06 to cover bills for January 2001.

24. VEDA Conference:
Please approve Mr. Spencer's request to attend the VEDA Spring Conference at an estimated cost of $185.00.

25. Animal Warden:
Please approve Mr. Martin's request to attend the Virginia Federation of Humane Societies Conference at an estimated cost of $180.00.

Mr. Kendrick asked if anyone had any questions regarding any items on the Consent Agenda.

Mr. Carter expressed concern regarding Item 21 - page 32 - Line Item Transfer for Library. Mr. Carter also would like to know if the Library Board has signed off on this transfer.

After some discussion, the Board decided to table this Line Item Transfer until the next meeting.

Mr. Carter made a motion seconded by Mr. Moore to approve the Consent Agenda as presented with the exception of Item 21 which was tabled until the next meeting. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next presented the **Information Items: (Items 26-34)**

26. Budget:
Budget Meeting schedule for Saturday March 10th at 8:00 a.m. at the Courthouse.
Figures are very preliminary at this time since the State has not determined its final budget and funding level.

27. Jail Cost Figures:
Attachment with relevant figures for the cost of operating the Appomattox County Jail. This study was done by the Compensation Board. After a brief discussion it was decided to discuss this further on Saturday as part of budget workshop.

28. School Board:
Monthly Report for informational purposes.

29. New Elementary School:
Uncertified bid results. The Board agreed that it would like for the School Board to explain the bid results and process prior to the Board of Supervisors making a decision.

30. Historical Society:
The Historical Society has expressed their concerns with the Courthouse Project and the museum located in old jail.

31. Gasb 34: (Governmental Accounting Standards Board - Statement 34)
Information received from Robinson, Farmer, Cox on the changes that will be made in our financial reports.

32. Reassessment:
Report from Robinson, Farmer, Cox regarding the last reassessments statewide.

33. Robert E. Lee Soil & Water Conservation District:
Minutes for the last couples of meetings.

34. Rental Assistance Report:
Mrs. Jones has submitted her regular monthly report.

Mr. Kendrick asked if anyone had any other comments.

Mr. Carwile addressed the concerns of the Historical Society and United Daughters of the Confederacy regarding the removal of both of the wings on the Old Jail Building.

At 7:50 P.M. Mr. Carter made a motion seconded by Mr. Moore to recess until the Budget Work Session on Saturday, March 10th at 8:00 A.M. at the Courthouse. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry Kendrick, Chairman

At 8:00 A.M. on Saturday, March 10, 2001 the Appomattox County Board of Supervisors reconvened a recessed meeting from March 5, 2001 for the purpose of a Budget Workshop at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District

Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator

At 8:10 A.M., Mr. Kendrick called the work session to order and turned the meeting over to Mr. Carroll.

Mr. Carroll gave each of the Board members several printout sheets of the proposed budget. He stated he would like to cover a few of them. He was not sure how much detail they wanted to get into today because the State Budget has not been finalized and that will effect the school, the Constitutional Officers, and a lot of the budget.

Mr. Carroll called the Board's attention to a legal sheet that contains the preliminary budget. This report contains each individual budget showing the budgeted amount for last year and in certain cases there may have been supplementals and the actual figures may have gone up, but he is showing what was approved for last year and what is proposed for FY02 as submitted, he has not changed any of these. This report also gives a line number which is for reference purposes only.

Mr Kendrick suggested that they go over everything and then go back to wherever there is a question.

Mr. Carroll pointed out that last year (FY2001) the total adopted budget was $23,579,112. The proposed for this year (FY2002) is $24,237,311 which an increase of $658,000 or 2.79% increase.

Mr. Kendrick asked about the revenue estimates for the upcoming year.

Mr. Carroll reported that revenues have dropped $23,000 and some of that is because last year we transferred in $700,000 from the IDA Bond for different Capitol Improvements and this year we have $280,000 coming in from either the IDA Bond or Capitol Improvement, etc. with a net negative change of $23,620. Which equates to $616,337 short.

Mr. Carroll also provided the Board with a revised Debt Service Report and that impacts the budget on page 2. All the Debt Service stayed the same with the exception of the Literary Anticipation Note. Need to keep in mind that this note will be refinanced, hence the increase in 2003.

There was some discussion regarding the debt service that will be retired this year.

There was some discussion on the Landfill regarding the cost of opening a new cell as opposed to shipping out of the County.

There was a lengthy discussion on the Debt Service Account regarding: Courthouse Renovation financing;(percentage rate and how long); Middle School and what was financed and the nine (9) million dollar Elementary School Project.

Mr. Carroll then explained to the Board the increases in: Salaries, possible due to Salary Study; Professional Services, due to IDA Note (interest payments); but also explained that there has been some reduction on these categories.

Mr. Carroll then briefly ran through each Department. He also stated that a 3.5% salary increase had been added for all employees.

At 9:25 a.m. the Board took a recess until 9:35 a.m.

Continued discussion on Departmental budgets.

There was a lengthy discussion on the Library concerning fees, donations, etc. These should be included in their budget. Need to discuss these concerns with the Library Board.

Mr. Kendrick asked when the Budget had to be finalized. Mr. Carroll answered June 30th. Mr. Carroll also stated that the Social Service Department begins their new budget on June 1st and that we normally do not get the final figures from the State Compensation Board until around May 1st.

Discussion began on revenue and expenses for the School.

Mr. Carroll will ask the School Board to re-submit their budget in compliance with our format.

Based on the ADM, our matching funds should be less than last year.

There was a lengthy discussion regarding funds that the School Board does not use as to whether or not these funds are returned or allowances made in the budget for the next year.

The Board then turned their attention to revenue.

There was a discussion regarding the reassessment and whether or not we can lower the tax rate within the next few years. We also need to look at creating a reserve before we think about lowering the tax rate.

There was some discussion regarding the five (5) additional positions at the Sheriff's Department and the upcoming E911 System.

At 11:30 a.m. on a motion by Mr. Moore seconded by Mr. Hancock, the budget work session was adjourned.

Jerry Kendrick, Chairman

At 6:00 P.M. on March 19, 2001, the Appomattox County Board of Supervisors held its regular monthly meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile -Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT: Andy Carroll - County Administration
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner

At 6:00 P.M. Mr. Kendrick called the meeting to order and asked Mr. Moore to give the invocation.

Mr. Kendrick called Ms. Sandra Lindsay - Virginia Department of Transportation to address the Board. Mr. Don Austin came forward and stated the reason they were here was regarding the Revenue Sharing Application.

Mr. Carroll stated the Board had a letter requesting $125,000 from the State Revenue Sharing Program requiring a dollar for dollar match. The projects are: 1) construction of 0.62 mile of Chestnut Mountain Road in Country Haven Estates with an estimated cost of $96,000. We are requesting $50,000 and Country Haven Estates would provide the balance; 2) the E-911 street signage. We are estimating $150,000 total cost for the secondary road signs and the private signs on the secondary and primary roads. Primary road signs would come out of VDOT Primary Road Funds. This is probably an inflated figure. This is just a request and we are not obligated to this until we actually put up our money.

Mr. Austin explained that the money the Country Haven Association puts up will be the match for this project and the County would not have to match this.

Mr. Carter made a motion seconded by Mr. Carwile to approve the submittal of the Revenue Sharing Application for $50,000 for Country Haven Estates and $90,000 for the E911 signage. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Austin asked if there were any road concerns at this time.

Mr. Carter wanted to thank VDOT for the speed limit signs on Route 719.

Mr. Moore stated his appreciation for the clean up work on Route 26.

Mr. Kendrick excused and dismissed Mr. Austin.

Mr. Kendrick next called Ms. Sharon Harrup with S.T.E.P.S to addressed the Board.

Ms. Harrup first thanked the Board for their contribution to her organization this year. She stated they had relocated into a 73,000 square foot building in April. They have not had a formal ribbon cutting because they are very frugal with their funds. They will be celebrating their 75th Anniversary later this year and they will roll these into one event and everyone will be invited.

Ms. Harrup gave brief summary of what STEPS is all about. They are very proud to say that Appomattox has reduced their welfare roll due to the efforts of the staff at STEPS. She is submitting a letter of request for funding for the upcoming fiscal year and she has broken out where their funding comes from because she feels it is important for the Board to see that they are trying to earn their own way as well as coming to the various counties that they service for contributions. Last year 68% of their entire operating budget and their revenue source was generated from production related activities. She feels they are making vast progress.

Ms. Harrup stated that of the individuals they served last year, five (5) citizens of Appomattox were served. They operate a van that comes to Appomattox County to pick up individuals that are in need of their services and eight (8) people from Social Services also received services last year. They also work closely with the school system with special education students. Ms. Harrup invited everyone to come by their manufacturing facility. They are located in the old Craddock-Terry factory. Every individual who comes to their facility receives a pay check. The Farmville operation paid $530,000 in wages last year. 75% of their direct labor is provided by persons with disabilities.

Their biggest constraint at this time is Transportation.

After a brief question and answer period, Mr. Kendrick thanked and excused Ms. Harrup.

Mr. Kendrick then called for Supervisor Concerns.

Mr. Carter stated he has talked with Mr. Carroll earlier today regarding a situation but Mr. Carroll has not had time to check into the matter.

Hearing no other Supervisor Concerns, Mr. Kendrick called for the **Administrative Items: (1 - 5)**

1. **Resolution Regarding Agenda:**
   Mr. Carroll has submitted a resolution dealing with persons requesting to be on the Board's Agenda to discuss an issue for which a public hearing has already been held or is scheduled. The intent of this resolution is to allow for orderly administration of business and to allow for the Board to give adequate consideration to citizens comments before making a decision on issues.

Mr. Carter stated he felt this resolution was well constructed and is needed and now, the Board has a tool to work within the realm of the agenda utilizing said resolution.

Mr. Carter made a motion seconded by Mr. Hancock to accept the following resolution:
WHEREAS, The Appomattox County Board of Supervisors are interested in receiving comments from the public regarding decisions that are being made and/or considered regarding various issues

of importance to the County, and

WHEREAS, the Board considers comments received during these public hearings when deliberating about the issues facing the County and also considers ongoing input from citizens during the deliberation period, and

WHEREAS, the Board recognizes that this input is both desired and necessary to perform its function for the citizens of Appomattox County and that adequate time is needed to duly consider the input from citizens, and

WHEREAS, the Board also recognizes the need to conduct the County's business in an orderly and effective manner and that the Board has a limited amount of time during meetings to conduct official business;

WHEREAS, the Board provides for public hearings and public comments in accordance with the Code of Virginia, 1950, as amended, and

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors instructs the Clerk of the Board to accept written correspondence regarding issues under consideration through the Wednesday preceding a regularly scheduled Board meeting and also instructs the Clerk to deny requests for placement on the Board's Agenda to discuss issues previously addressed in a public hearing,

AND BE IT FINALLY RESOLVED, that the Board of Supervisors reserves the ability to schedule additional public hearings as may be desired in order to provide the public with additional input on issues of concern to the County.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. Redistricting:

The figures from the Census Bureau for the redistricting process have been released. The Board needs to appoint a citizen to the Advisory Committee.

Mr. Carter nominated Mrs. Betty Ford to serve as the citizen representative to serve on the Advisory Board with R. W. Mitchell from the School Board and Fred Underwood of the Electoral Board. Also Jesse Hancock, Board of Supervisors; and Sabrina Smith, Registrar will be serving on this Board.

On a motion by Mr. Carter seconded by Mr. Carwile to appoint Mrs. Betty Ford as the citizen representative on the Redistricting Advisory Board. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Spencer has contacted several firms that have GIS abilities to take the data in the form the Census Bureau put it on the internet, analyze it and actually do the redistricting in coordination with the committee to set the precincts and other things that need to be done in

accordance with the Department of Justice that we have to send this information to once it has been done. We received three (3) bids: Anderson & Associates; Dewberry & Davis and Timmons. Timmons provided us with the lowest bid. We also have received a revised bid from Anderson & Associates which is a little lower than Timmons but in their original submittal they had a three (3) year maintenance agreement which seems to obligate us to deal with them on other project that have GIS meanings. Mr. Carroll is asking the Board of allow him to execute the contract with Timmons so we can move ahead with this project.

After some discussion, Mr. Moore made a motion seconded by Mr. Carwile to accept the contract with Timmons in the amount of $3,420.00 as the GIS Consultant and allow Mr. Carroll to execute the contract on the Board of Supervisors's behalf. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. Board of Building Code Appeals:
Does anyone have nominations for this Board to present tonight.

Mr. Carwile has suggested that Bill Caldwell be asked to serve on this Committee. By consensus the Board agreed to have Mr. Carroll contact Mr. Caldwell regarding serving on this Board. The remaining nominations were tabled until the next meeting.

4. Region 2000 Board of Directors:
Someone from the private sector needs to be appointed to this Board of Directors.

Mr. Carter stated he had contacted Gus Paulette regarding serving on this Board and Mr. Paulette has indicated he would be willing to serve.

Mr. Carter made a motion seconded by Mr. Moore to appoint Gus Paulette to the Region 2000 Board of Directors. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

5. Workforce Investment Board:
The Board has received notice that Fred Lawson has resigned as the representative from Appomattox on the Workforce Investment Board. The Board needs to appoint a replacement at this time.

By consensus, the Board decided to table this matter until a later meeting.

Mr. Kendrick next called for action on the **Consent Agenda: (Items: 6 - 11)**

6. Approval of Bills:
Bills to be paid as included in the attachment.

LINE ITEM TRANSFERS:

7. Library:
The following line item transfers were requested at the March 5, 2001 meeting:

$450.00- from 7301-3004 Repair & Maintenance
$150.00 - from 7301-3007 Advertising
$2,000.00 - from 7301-5403 Telecommunications
$2,250.00 - from 7301-5411 Books
$5,570.00 - from 7301-5414 Special Library Fund
$150.00 - from 7301-7000 Building
$5,000.00 - from 7301-7001 Equipment
$15,570.00 - to 7301-3002 Professional Services

Mr. Carroll stated it was his understanding that Ms. Gibbs approves all the Library bills and presents the Library Board with a financial report. These funds will be used to upgrade the Library's circulation software and should greatly increase the library's efficiency. Mr. Carroll is requesting the Board approve this request.

8. Treasurer:

Mrs. Belter is requesting a line item transfer for training for two employees and to better reflect expenditure for computer assistance.

$653.00 - from 1213-1003 Part Time Salaries
$350.00 - to 1213-5501 Travel
$303.00 - to 1213-7002 Furniture (Comp. Asst.)

9. Education/Convention:

Landfill: Mrs. Rockefeller is requesting to have two (2) landfill employees attend a refrigeration course at Southern Air for the purpose of extracting freon from white goods received at landfill. Approximate total cost of $120.00

BOARD ACTIONS:

10 Craddock-Cunningham Architects:

Need approval for payment of Invoice No. 7 in the amount of $6,856.23 from 1101-3004 - Professional Services for work on Courthouse Renovations.

SUPPLEMENTAL APPROPRIATIONS:

11. Sheriff's Department:

(A) Regular Overtime: Please supplement line item 3102-1002 Regular Overtime by $217.56 to reflect reimbursement from schools for working basketball game.

(B) Local Law Enforcement Block Grant: Please supplement line item 3100-1002 Overtime, $3,436.00 and 3100-2001 FICA $285.00 to reflect receipt of this grant. This reflects a local match of $372.00.

Mr. Kendrick asked if there was any discussion regarding the Consent Agenda.

Mr. Carwile made a motion seconded by Mr. Moore to approve the Consent Agenda (Items 6-11) as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next reminded the Board Members of the Informational Items: Town Council Agenda for March 12, 2001 and the Appomattox Website updated report.

At 6:45 P.M. on a motion by Mr. Carter seconded by Mr. Kendrick the Board called for a recess until after the Public Hearing. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:26 P.M. Mr. Kendrick reopened the Board of Supervisors meeting with the School Board in attendance:

PRESENT: (School Board)
Earl Pickett - Chairman
Lannis Selz - Vice-Chairman
R. W. Mitchell
Martha Pankey
Clifford Rhodenizer

ALSO PRESENT: Dr. Walter Klug - School Superintendent
Billy Perrow

Mr. Kendrick turned the meeting over to Mr. Pickett. Mr. Pickett stated they had bidded the school in three parts and they all came back over the nine (9) million dollar cap. There were a couple of options whereby they could stay under the cap. 1) by using a pre-engineered gym, 2) without the gym but with six classrooms and 3) with gym and classrooms about $9.35 million. The School Board feels the six extra classrooms would be more beneficial to the county than the gym.

Mr. Kendrick reiterated the options and recommendations:

- basically with the cap set, the gymnasium and the 600 student capacity cannot be met.
- take away the gymnasium and add the 6 classroom back we can come under the 9 million dollars.
- Adding the 6 classrooms and using a pre-engineered gymnasium we would be $350,000 over the cap.
- The School Board is recommending option 2

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Mr. Kendrick questioned the core support available, the total square footage and the cost per square foot and the type of roof.

Mr. Carwile had some questions regarding the gymnasium cost of $900,000 and reduced it down to $350,000. This seems to be a sizeable amount.

Other Board members had questions regarding gymnasium, playground, roof, and furnishings. There was a lengthy discussion regarding the furnishings, new as opposed to using some from the old school building. The Scholl Board estimated that all new furnishings would cost approximately $350,000. At the present time no assessment had been performed to determine how much of the current furniture could be used in the new school.

The Board questioned the School Board regarding its ability to pay for the furnishings with a minimally funded state budget. School Board members and administration stated that this was not typically done, but that if that was the requirement, then they would do that.

At 8:12 P.M. Mr. Kendrick thanked and excused the School Board.

Mr. Kendrick asked for more discussion among Board of Supervisor members.

- He is in favor of the $9.35 million including gym.
- Mr. Carwile is in support of school going forward. Supports recommendation from School Board with $9 million . Supportive of gym but would want to add at a later date.
- Mr. Carter feels cost is attributed to architectural design. And he supports the School Board's recommendation.
- Mr. Moore says gym is the least of his concerns. Rates may be down but taxes maybe more. He supports the $9.35 million project.
- Mr. Hancock feels gym is no real concern but would rather see the prefab gym at $9.35 million figure than no gym or the expense of adding a gym at a later date.

Mr. Kendrick made a motion seconded by Mr. Carter to build the gymnasium, core school and add six (6) classrooms for $9.35 million. School Board will cover the cost of the furniture out of its normal operating budget. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carwile stated each member has expressed themselves and would like to see the full gym.

Mr. Carroll stated the Board needed to make an appropriation for the necessary funds to cover the Elementary School Project.

Mr. Kendrick made a motion seconded by Mr. Carwile to appropriate the necessary funds to complete the $9.35 million school project. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

At 8:30 P.M. on a motion by Mr. Kendrick, seconded by Mr. Moore the Board voted to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry Kendrick - Chairman

The Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a public hearing on March 19, 2001 at 7:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: (Board of Supervisors)
Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)
Al Sears - Chairman
Kevin O'Brien
Jesse Hancock
Robert Johnson
W. H. (Buddy) Carson
Calvin Tanner
Claude A. Moore
Wayne Lewis
Jim Sefter

ABSENT: (Planning Commission)
Elizabeth Edwards

ALSO PRESENT:
Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner

At 7:00 P.M. Mr. Kendrick called the Public Hearing to Order, gave the rules and regulations governing the process of addressing the Board and the Planning Commission. He then turned the meeting over to Mr. Stidham, Clerk of the Planning Commission.

Mr. Stidham read the first petition:

01-459 - Howard & Debbie Elliott: Conditional Use Permit to use agricultural structure as a mechanical maintenance business per §170-34 of the Appomattox County zoning Ordinance. Property is located on Route 630 between Route 731 and Route 629, Tax Map #109(A)29, and is zoned A-1.

Mr. Kendrick called for comments for or against this petition.

Hearing none, Mr. Stidham read the next petition:

01-460 - H. Junior & Jean R. Puckett: Re-zone portion of existing lot from B-1 to A-1 per §170-8 of the Appomattox County Zoning Ordinance to create new lot. Property is located on Route 689 between U. S. 460 and Route 647, part of Tax Map #73(A)28A, and is zoned B-1.

Mr. Kendrick called for comments for this petition.

Mr. Darrel Puckett came forward, gave his address as 125 S. Church Street, Appomattox and stated he was representing his parents regarding the petition. Mr. Puckett stated he was prepared to answer any questions regarding the petition.

Mr. Kendrick asked if there were any comments against this petition

Being no further petitions or comments, Mr. Kendrick declared the Public Hearing closed at 7:05 P.M.

Jerry Kendrick, Chairman

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On Monday, April 2, 2001 at 6:00 P.M., the Appomattox County Board of Supervisors held it's regularly scheduled monthly meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
John Spencer - Assistant County Administrator

Mr. Kendrick opened the meeting at 6:00 P.M. and gave the invocation.

Mr. Kendrick asked Mr. C. T. Moses to come before the Board to discuss the American Legion's request to place plaques in the renovated Courthouse in honor of those men and women from Appomattox County who have served in the armed forces of our Country. The American Legion is not asking the County for any money towards this project. They are planning to have a plaque for those who served in each of the different conflicts: World War I; Wold War II; Korean; Vietnam; and Desert Storm.

The American Legion, Post 104 estimates that they will have approximately 500 names. They plan

to advertise in order to get the names of county residents, as well as any veterans that have moved here since serving. They are asking for the Board's blessings in moving forward with this project.

There was some discussion regarding placement of these plaques. The Board by consensus is in agreement with the American Legion, Post 104 proceeding with plans as presented by Mr. Moses.

Mr. Kendrick thanked and excused Mr. Moses.

Mr. Bill Slagle - Chairman of the Industrial Development Authority was next to address the Board. Mr. Slagle gave an update on the industrial park and other activities of the I.D.A, including Construction; EDA Grant Closeout; marketing Plans - VEDP & Region 2000; Prospects; existing business (Business Appreciation Week) and I.D.A. appointments needed.

Mr. Slagle proposes that Ms. Kay Robertson and Mr. Cecil Wooldridge be appointed to the I.D.A. to replace Mr. Floyd Williams and Mr. Winfred Nash who are no longer able to serve on this Board.

Mr. Kendrick asked if anyone had any questions for Mr. Slagle.

Mr. Carter wanted to know if we were still on the timetable as first announced - a 5 years time frame?

Mr. Slagle stated the I. D. A. was in a good position for when the economy turns around.
Mr. Kendrick thanked and excused Mr. Slagle.

Mr. Kendrick asked the Board if they were ready to act on the two (2) appointments necessary to fill the vacancies on the I.D.A.

Mr. Carter made a motion seconded by Mr. Moore to appoint Ms. Kay Robertson to a four (4) year term to replace Mr. Floyd Williams and Mr. Cecil Wooldridge to fill the two (2) year unexpired term of Mr. Winfred Nash. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The Board by consensus asked Mr. Carroll to determine the costs of holding a Business Appreciation Week Luncheon and present these at the next Board Meeting.

Mr. Kendrick next called Mr. Bill Coalson of Tri-County Appraisals to give an update on the process of the reassessment.

Mr. Coalson gave a little background of himself and his Company. He stated the reassessment is on schedule per contract. Mr. Coalson also stated some of the criteria he uses in assessing property, such as market value where a property would sell higher to an outsider than to a family member per se. The purpose of reassessment is for equalization (people to pay their fair share). To make sure that every one is taxed fairly. 100% of market value and equalized. There are two (2) things to evaluate when doing reassessment: (1) Condition and (2) Quality of construction.

Mr.Kendrick questioned how often a reassessment is necessary.

Mr. Coalson answered that the Department of Taxation would be the best agency to ask for an unbiased opinion.

After a lengthy discussion, Mr.Kendrick thanked and excused Mr. Coalson.

Mr. Fred Godsey, Emergency Services Coordinator was asked to address the Board.

Mr. Godsey presented an overview of the Appomattox County Emergency Operations Plan. Mr. Godsey noted there were several additions to the Plan: 7 annexes and 2 Hazard Specific appendixes, which need to be adopted by the Board of Supervisors. This Emergency Operations Manual (Plan) has to be updated annually and has to be approved by the Board every five (5) years. The Plan is geared toward Appomattox County, what we can do and would do in some type of disaster or an emergency situation.

Mr. Carter stated he would like to commend Mr. Godsey on his fine efforts.
Mr. Kendrick thanked and excused Mr. Godsey.

Mr. Carwile made a motion seconded by Mr. Kendrick to adopt the updated Appomattox County Emergency Operations Plan as submitted by Mr. Godsey. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye;, Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick called for Supervisors Concerns.

Mr. Kendrick stated that he had been approached by a member of the Historical Society regarding the possibility of having a rodeo and what property would be available for use. Does anyone have any suggestions?

Mr. Carter stated that the use of the Town Ball Park not be considered.

Mr. Carroll questioned how much acres would be needed for such an event and stated that maybe the Community Park on Route 613 could be utilized.

Since there was still some time before the scheduled Public Hearing, the Board moved to the **Consent Agenda: (Items 7-17 of the Revised Agenda)**

7. **Approval of Minutes:** Minutes of Regular Meeting on March 5, 2001; Budget Work Session on March 10, 2001; Public hearing on March 19, 2001; and Regular Meeting on March 19, 2001.

8. **Approval of Bills:** Approval of bills for month of March 2001.

Administrative Items:

9. **Stonewall Antique Power Show:** The Stonewall Antique Power Association has applied for a Musical or Entertainment Festival Permit to hold it's annual antique show on May 19 & 20,

2001. They are requesting that the bond requirement be waived.

10. Banjo Festival: The Chamber of Commerce has applied for a Musical or Entertainment Festival Permit to hold the Joel Sweeney Banjo Festival on May 5th, 2001 at Paradise Lake. They are requesting that both the fee and bond requirement be waived.

The Board of Supervisors in approving this Permit should stipulate that garbage should be handled by a private contractor; Chamber to haul to the County landfill but not to be placed in the County dumpster.

11. Stonewall Vineyards - Mayfest: Stonewall Vineyards has applied for a Musical or Entertainment Festival Permit to hold it's Mayfest on May 12th, 2001. They are also requesting that the Bond Requirement fee be waived.

The Board in approving this Permit should stipulate that garbage is to be handled by a private contractor; hauled to County Landfill by owner but not placed in the County dumpster.

Supplemental Appropriations:

12. Animal Friendly License Plates: The County has received $232.44 from the Division of Motor Vehicles representing it's share of the Animal Friendly License Plates. This money is to be used in connection with the sterilization program for dogs and cats in Appomattox County.

Please supplement line item 3501-3002 - Professional Services $232.44.

13. Refund: Supplement line item 1101-5803 Refund by $500.00 to reflect refunds made by the Commissioner of Revenue for incorrect charges and/or personal property no longer in the County.

14. Life Insurance: Supplement line item 1206-2006 Life Insurance by $18.58 to reflect payment received from an employee.

15. Landfill: Supplement line item 4204-3005 Scales for $125.00 reflecting payment from Emanuel Tire Company.

16. Library: Supplemental appropriations to reflect refunds, fines and/or fees:

a.	7301-5411 - Books	add	$142.90
b.	7301-5415 - Summer Reading	add	761.76
c.	7301-5401 - Office Supplies	add	231.03

17. Convention/Education: Mr. Carroll is requesting permission to attend the National EDA Conference in Washington, D. C. on May 29th thru May 31st. Estimated cost of approximately $250.00.

Mr. Carter made a motion seconded by Mr. Moore to approve the Consent Agenda (revised Items 7-17) as presented. VOTE: Mr Kendrick, aye, Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye;

and Mr. Moore, aye.

Mr. Kendrick next addressed the **Informational Items:**
17a. School Board - Incentive Based Programs FY02: Dr. Krug has forwarded information regarding this program in the Schools FY02 budget request.
17b. School Board - Monthly Financial Report - May 01: School Board has forwarded the financial report for the Month of May, 2001.

18. Town Council Agenda: Town has submitted its agenda for meeting on March 27, 2001.

19. Rental Assistance Monthly Report: Mrs. Jones has submitted report for March 2001.

20. Library Board Minutes: The Library has submitted their Board minutes for review.

Mr. Kendrick asked if there were any questions regarding Informational Items.

At 6:45 P.M. Mr. Kendrick called for the Board to recess until after the Public Hearing.

At 7:03 P.M. Mr. Kendrick reconvened the Board of Supervisors Meeting and stated that it was necessary to enter into a closed session in accordance with §2.1-344(A)-1 personnel matters and §2.1-344(A)-7 legal issues.

Mr. Carter made a motion seconded by Mr. Moore to enter into a closed session to discuss a personnel matter as well as a legal matter. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:35 P.M. on a motion by Mr. Carter, seconded by Mr. Moore the Board returned to open session. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick read the following certifying motion:
WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2..1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and

Mr. Moore, aye.

There was no business conducted from the Closed Session.

Mr. Kendrick called the Boards attention to the **Administrative Items (1-6)** of the Agenda.

1. **Victim/Witness Advocate:** (two items for consideration)
   a. **Virginia Crime Victims Rights Week:** Mrs. Freshwater is asking the Board to establish April 22nd - April 28th as Virginia Crime Victims Rights Week in Appomattox County.

Mr. Carter made a motion seconded by Mr. Kendrick to establish April 22nd - April 28th as Virginia Crime Victims Rights Week and pass the following Proclamation.

PROCLAMATION

WHEREAS, America's victim's rights discipline has had a powerful impact in educating our nation about the devastating effects of crime and victimization, and the need to provide support and services to individuals and communities hurt by crime; and

WHEREAS, victimization rates in the United States are the lowest recorded since the inception of the National Crime Victimized Survey in 1973; and

WHEREAS, there were still nearly 29 million people in America who were victimized by crime last year; and

WHEREAS, the year 2001 marks the 25th anniversary of the Victim Impact Statement, which helps our criminal and juvenile justice systems better understand the psychological, financial, and physical impact of crime on victims, and hold offenders accountable for their criminal and delinquent actions; and

WHEREAS, the voices of our nation's victims have had a powerful effect in changing laws, policies, and attitudes to promote victim's rights and services, and encouraging every person in America to take a stand and help crime victims; and

WHEREAS, important partnerships have been formed among criminal and juvenile justice agencies, allied professionals, victim services, and the private sector to ensure that crime victims are treated with the dignity and respect they deserve; and

WHEREAS, our nation's commitment to crime victim assistance grows stronger with each passing year, with over 10,000 system-and community-based programs in place to provide help and hope to victims of crime;

BE IT, THEREFORE, RESOLVED, that the Appomattox County Board of Supervisors proclaims the week of April 22 - 28, 2001, to be Appomattox County, Virginia Crime Victims' Rights Week, and celebrates victims' voices as an important chorus for fairness and dignity; and

BE IT FURTHER RESOLVED, that we continue to reach for the stars of justice and compassion for crime victims as individuals, as communities, and as a nation dedicated to justice for all.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

b. Expansion of Victim/Witness Program: The Department of Criminal Justice Services would like the Board to consider expanding the Victim/Witness Program to include Buckingham County. This would change the present Victim/Witness position from part-time to full time with benefits, with the state providing all funding.

Mr. Carter stated he feels this would be a great opportunity for us to engage in activities with Buckingham County. He sees this as a win win situation where Buckingham County can benefit from the experience and knowledge of our Victim/Witness Advocate.

Mr. Carwile stated his concern regarding moving this position to accommodate Buckingham County, it is not up to this Board to make this decision, it is up to Buckingham County since we are the only county where this program is governed by the Board of Supervisors. He is also concerned about the work load becoming too heavy for our advocate to handle.

After some discussion, Mr. Moore made a motion seconded by Mr. Carter to expand the Victim/Witness Program to include Buckingham County contingent upon the agreement of the Buckingham County Board of Supervisors. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. Planning Commission Recommendations:

The Planning Commission has made the following recommendations:

01-458 - Everette J. Moore - Conditional zoning request to operate a stone quarry per §170-10 of the Appomattox County Zoning Ordinance. Property is located on Route 611 between Route 683 and Route 26, Tax Map #17(A)33, and is zoned A-1.

The Commission also received two proffers from the applicant, and voted unanimously to add the proffers to the formal motion to recommend approval of this petition.

After some discussion Mr. Carter made a motion seconded by Mr. Moore to accept the Planning Commission recommendation to approve Petition 01-458- of Everette J. Moore as follows: "For reasons of public necessity, convenience, general welfare, and good zoning practice, the Planning Commission moves to recommend that the conditional zoning petition of Everett J. Moore to operate a stone quarry on a parcel of land located at Tax Map #17(A)33 be approved in accordance with the following proffers: 1) The only type of mining to be performed is a lime stone quarry: and 2) the main commercial entrance for the quarry be through land owned by Mrs. Evelyn Moore which is located on Route 683, north of the new bridge over Wreck Island Creek, and that there will be no quarry truck traffic through any other ingress/egress easements or access roads. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

01-459 - Howard & Debbie Elliott - Conditional Use Permit to use agricultural structure as a mechanical maintenance business per §170-34 of the Appomattox County Zoning Ordinance. Property is located on Route 630 between Route 731 and Route 629, Tax Map #109(A)29 and is zoned A-1.

Mr. Moore made a motion seconded by Mr. Carter to accept the Planning Commission recommendation to approve Petition 01-459 - Howard and Debbie Elliott - Conditional Use Permit to use agricultural structure as a mechanical maintenance business per §170-34 of the Appomattox Zoning Ordinance. Property is located on Route 630 between Route 731 and Route 629, is zoned A-1 and is Tax Map #109(A)29. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Moore, aye.

01-460 - H. Junior & Jean R. Puckett -Rezone portion of existing lot from B-1 to A-1 per §170-8 of the Appomattox County Zoning Ordinance to create new lot. Property is located on Route 689 between Route 460 and Route 647, part of Tax Map #73(A)28A and is zoned B-1.

The Planning Commission made the following formal motion to approve this petition. For reason of public necessity, convenience, general welfare and good zoning practice, the Appomattox County Planning Commission moves to recommend that the petition of H. Junior and Jean R. Puckett to rezone part of a parcel of land located at Tax Map #73(A)28A from B-1 to A-1 be approved by the Board of Supervisors.

Mr. Hancock made a motion seconded by Mr. Carwile to accept the Planning Commissions recommendation to approve petition 01-460 for H. Junior and Jean R. Puckett to re-zone part of Tax Map #73 (A)28A from B-1 to A-1 by reasons of public necessity, convenience, general welfare, and good zoning practice as recommended by the Appomattox County Planning Commission. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

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3. **New Elementary School Site:** (two items for consideration)

3a. Appropriation of $8,675,613.14 - no action necessary on this appropriation

3b. First Interest Payment to Sun Trust Bank: Payment in the amount of $89,062.50 and be reimbursed from the SNAP funds. Please supplement 1101-8003 IDA Note-2000 by $89,062.50 and requisition $89,062.50 from SNAP funds.

Mr. Carwile made a motion seconded by Mr. Kendrick to supplement line item 1101-8003 IDA Note 2000 by $89,0622.50 and requisition like amount from the SNAP funds. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. **Board of Building Code Appeals:** This item was tabled from a previous meeting. Mr. Bill Caldwell has been asked to serve on this Board and has agreed to serve. Need three (3) additional appointees. Mr. Carter nominated Mr. Doug Martin and Mr. Earl Dickerson with Mr. Carwile nominating Mr. Gary Tanner.

Mr. Carter made a motion seconded by Mr. Carwile to appoint Mr. Bill Caldwell, Mr. Doug Martin,

Mr. Earl Dickerson and Mr. Gary Tanner to serve as the Board of Building Code Appeals. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

5. Workforce Investment Board: The Board needs to appoint someone from the private (business) sector to this Board. The appointee must also be supported by the Chamber of Commerce. The Board by consensus tabled this until its next meeting.

6. Administrators Update: Mr. Carroll explained each item contained in this report: Visioning Session on April 30th; Job Description/Pay Scale Analysis; FY2002 Budget and Joint Tourism Committee Meeting on April 12th.

Mr. Carroll stated there would be a Budget Work Session on Monday, April 23rd, at 6:00 P.M.at the Courthouse.

At 8:15 P.M. Mr. Moore made a motion seconded by Mr. Carter to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick

On Monday, April 2, 2001 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Apomattox, Va.

At 7:00 P.M. Mr. Kendrick declared the Public Hearing open, Mr. Kendrick then read the Notice regarding the Proposed Telecommunications Facilities Ordinance and stated the procedure for receiving comments for or against this Ordinance.

Hearing no comments, Mr. Kendrick closed the Public Hearing at 7:02 P.M.

Jerry Kendrick, Chairman

On Monday, April 16, 2001 at 6:00 p.m., the Appomattox County Board of Supervisors held it's regular meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA 24522.

PRESENT: Samuel Carter , Vice-Chairman - Courthouse District

Frank H. Carwile - Wreck Island District
Jesse Hancock - Falling River District
Russell H. Moore - Piney Mountain District (arrived late)

ABSENT: Jerry G. Kendrick - Appomattox River District

ALSO PRESENT:
Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner

At 6:03 P.M. Mr. Carter called the meeting to order and asked Mr. Hancock to deliver the invocation.

Mr. Carter called for the first order of business:

Supervisor's Concerns:
Mr. Hancock stated that as the Boards representative on the Redistricting Committee that he had some concerns regarding the Redistricting Schedule. He then requested that Mr. Carroll present the Board with a modified schedule and explanation.

Mr. Carroll presented each Board Member with a copy of this schedule. There is a possibility that Appomattox may have to have a primary this upcoming election year. The new schedule suggests that we have a Formal Public Hearing on May 7th, with a special meeting on May 14th which we could possibly combine with another session, possibly a budget meeting. We could then submit everything to the Department of Justice and the State by May 15th. If the Board wishes, we can place this on the Agenda for the next meeting to be voted upon.

By consensus, the Board agreed to vote on the Redistricting Schedule on Monday, April 23, 2001.

Being no further discussion or concerns, Mr. Carter stated that it was necessary to enter into a closed session in accordance with §2.1-344(A)-3 to discuss acquisition of real property for public purposes.

At 6:05 P.M. Mr. Carter made a motion seconded by Mr. Hancock to enter into a closed session to discuss acquisition of property for public purposes. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 6:27 p.m. on a motion by Mr. Carwile seconded by Mr. Hancock the Board returned to open session. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carter then read the following certifying resolution:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2..1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Moore, aye.

Mr. Carter made a motion seconded by Mr. Carwile regarding business from the closed session to have Mr. Carroll convey to the property owners on Porter House Road to do the following in order to bring the road into the States' Secondary Road System.

1. Title search of all adjacent property;
2. Preparation of deed to County;
3. Approval of deed by the County Attorney;
4. All expenses incurred will rest with the property owner.

VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carter next called attention the **Administrative Items:**

1. Board of Building Code Appeals: At a previous meeting the Board appointed four (4) of the five (5) members of this Board. At this time the Board needs to appoint the fifth member of this Board and also stipulate the terms of each member

Mr. Carter nominated Mr. Garnett Mills and Mr. Richard Childress as possible appointees for this Board.

On a motion by Mr. Carter, seconded by Mr. Carwile, Mr. Richard Childress was appointed as the fifth and final member to serve on this Board for a two (2) year term to expire in 2003. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carwile made a motion seconded by Mr. Moore to accept the recommendation for the following term limits: Mr. Willie Caldwell and Mr. Gary Tanner will serve three (3) years terms, expiring in 2004 and Mr. Earl Dickerson, and Mr. Doug Martin serving two (2) year terms expiring in 2003. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. Workforce Investment Board: The appointment to this Board has been tabled at previous meetings. Mr. Carwile stated he would like more information regarding this Board and its meetings. By consensus, the Board instructed Mr.Carroll to gather more data to place on the agenda when an appointee is selected.

3. Emergency Operations Plan: Mr. Godsey presented the County Emergency Operations Plan at the meeting on April 2, 2001. The Board needs to adopt a Resolution formally accepting this Plan.

On a motion by Mr. Carter seconded by Mr. Hancock the following Resolution was Adopted:

RESOLUTION
AUTHORIZING ADOPTION OF EMERGENCY OPERATIONS PLAN FOR APPOMATTOX COUNTY

WHEREAS, the Board of Supervisors for the County of Appomattox, Virginia, is greatly concerned with the health, safety, and well-being of its citizens and desires that the best possible emergency services by available to them: and

WHEREAS, the Commonwealth of Virginia Emergency Services and Disaster Law of 1973, Chapter 34.2 of Title 44 of the Code of Virginia, 1950, as amended, requires that each city and county in the Commonwealth maintain an Emergency Operations Plan (EOP) which addresses its planned response to emergency situations; and

WHEREAS, such an EOP has been developed by County staff in coordination with the Virginia Department of Emergency Services incorporating input from responsible local agencies.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Appomattox, Virginia that, on the 16th, of April, 2001, it does hereby officially adopt the revised and current Appomattox County Emergency Operations Plan, to include plans and procedures fo both peacetime and war-caused disasters.

VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. **Telecommunications Facilities Ordinance:** At a Public Hearing held on April 2nd, 2001, regarding this Ordinance, there were no comments made. Does the Board wish to adopt this Ordinance at this time?

Mr. Carwile made a motion seconded by Mr. Moore to adopt the Telecommunications Facilities Ordinance as presented as the public hearing on April 2nd, 2001. (See April, 2001 Board File or County Zoning Ordinance Book) VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

5. **FCCLA Funding Request:** The Appomattox County High School Senior Chapter of Family, Career and Community Leaders of America is requesting a donation to help with expenses to be incurred while attending a National Competition to be held in Anaheim, California in July, 2001.

Mr. Carwile questioned if there were any funds available for this type of donation. Mr. Carroll stated that the Board last year decided not to make any donations not included in the budget. There is money in the budget under Special Projects.

After some discussion, Mr. Moore made a motion seconded by Mr. Carter to table this item until a future meeting and a review of similar considerations has been made. VOTE: Mr. Carter, aye; Mr.

Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

6. Business Appreciation Week: The I.D.A. has proposed that the Board consider holding a luncheon during the week of May 13th for Business Appreciation Week. The proposed date is Tuesday May 15th, at the Appomattox Moose Lodge. Approximate cost is $400.00. Funds are available in the special projects line item to cover such an event.

After some discussion, Mr. Carwile made a motion seconded by Mr. Moore to hold the Business Appreciation Week Luncheon as proposed. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The next order of business was the **Consent Agenda: (items 7-13)**

7. Approval of Bills: Bills for the Month of April, 2001.

BOARD APPROPRIATIONS: .

8. Volunteer Insurance: The Board has received a quote for expanded insurance from Chesterfield Insurers, Inc. for additional coverage for the Appomattox Volunteer Fire Department, the Appomattox Rescue Squad and the Pamplin Volunteer Fire Department. The additional cost is $701.00/year. The policy renewal date is April 15, 2001. Mr. Carroll is requesting the Board approve the policy changes and annual premium of $9,734.00.

9. Craddock-Cunningham Architectural Partners: Invoice #8 in the amount of $7,256.26 for work performed on the Courthouse Renovation. Please appropriate $7,256.26 from 4302-7009 Capitol Outlay to cover this invoice.

SUPPLEMENTAL APPROPRIATIONS:

10. Sheriff's Department: Please approve supplemental appropriation requests:

1. Local Law Enforcement Block Grant: $1,943.00 (local portion $194.00) to line item 3001-1002 Overtime and 3100-2001 FICA.
2. DMV Grant: $3,000.00 to line item 33107-7001 Equipment
3. Regular Overtime: $159.84 to line item 3102-1002 Overtime for reimbursement for basketball game.

11. Library: Please approve supplemental appropriations:

a. $288.86 to 7301-5401 Office Supplies to reflect fee collected.
b. $66.67 to 7301-5411 Books to reflect replacement charges, book sales, & donations.

12. TriCounty Appraisals: Please approve supplemental appropriation for $3,000.00 to reflect funds in this contract but not budgeted to line 1210-3002 Professional Services.

13. School Board: Please approve the following supplemental appropriations:

a. Requested supplemental of $157,904.89 which reflect additional funds received and no local match. (Please note that $9,628.82 of this is a payment from Verizon that all County offices received, but have not been supplemented.) If the Board chooses not to approve the $9,628.82, the total appropriation would be $148,276.07.

b. April 4, 2001 Request of $7,878.22

Mr. Carwile had some discussion on item 8 - Insurance. Mr. Carroll explained that the increase would benefit the volunteers should they be injured while on duty.

Mr. Carter questioned 13a. School Board. All monies received to date have been returned to the County. He feels we should stay this way, with this money being returned to the County.

Mr. Carwile made a motion seconded by Mr. Hancock to approve the Consent Agenda, Items 7-13b with an amendment on 13a to reflect new total of $148,276.97. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 6:55 p.m. the Board recessed to the Public Hearing with the Appomattox County Planning Commission.

At 7:22 P.M. Mr. Carter reconvened the Board of Supervisors Meeting. Mr. Hancock not present. Attending the Planning Commission Meeting.

Mr. Carter stated the next item for consideration was **Informational Items: (14-18)**

14. School Board: Dr. Krug has submitted an update on the Elementary School Project.

15. Region 2000 Regional Commission: The Regional Commission has submitted the following for the Board's information:

a. Executive Committee Meeting Minutes
b. Termination of Little Otter Regional Industrial Park Project
c. Grant writing ability at Regional Commission

16. Business Development Center, Inc.: The Business Development Centre, Inc.- Microenterprise Program has submitted a report for services rendered in 2000.

17. Side by Side for Racial Harmony and Justice Event: The Lynchburg Chapter of the Central Virginia YMCA has invited Appomattox to join them on April 30th for a 10 minute community walk and luncheon for Side by Side Racial Harmony and Justice. Anyone wishing to attend needs to RSVP by April 25th.

18. Town of Appomattox Agenda: The Town has furnished us with an agenda of their meeting for April 9, 2001.

At 7:24 P.M., Mr. Moore made a motion seconded by Mr. Carwile to recess until 6:00 p.m. on April 23, 2001 at the Courthouse. Vote: Mr. Carter, aye; Mr. Carwile, aye and Mr. Moore, aye. Mr. Hancock in Planning Commission meeting.

Samuel E. Carter

Samuel E. Carter, Vice-Chairman

On Monday, April 16, 2001 at 7:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: (Board of Supervisors)
Samuel Carter, Vice Chairman - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: (Board of Supervisors)
Jerry G. Kendrick - Chairman - Appomattox River District

PRESENT: (Planning Commission)
Al Sears - Chairman
Jesse Hancock
Calvin Tanner
Jim Sefter
Robert Johnson
W. H. Carson
Claude A. Moore

ABSENT: (Planning Commission)
Kevin O'Brien
Wayne Lewis
Elizabeth Edwards

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 7:03 P.M. Mr. Carter opened the Public Hearing and read the following statement:

This Public Hearing provides property owners with the opportunity to present their zoning petitions and concerned citizens with the chance to speak in support of or against the petitions before the Appomattox County Planning Commission and the Board of Supervisors. Please note that the Public Hearing is not the appropriate forum to engage in discussion of these petitions. Discussion will take place during the Planning Commission meeting which will immediately follow the Public Hearing. We will begin each petition with comments by the petitioner followed by comments from individuals who wish to speak for the petition and finally comments from individuals speaking against the petition. As you approach the microphone, please state your name and address for the record.

Mr. Carter then asked Mr. Stidham to read the first petition:

01-461- John L. & Patricia G. Wilson: Conditional Use Permit to use existing dwelling as a

vacation rental house. Property is located in the Town of Appomattox at 108 North Church Street between Harrell Street and Oakleigh Avenue. Tax Map #64A5(A)188, and is zoned B-1.

Mr. John Wilson, whose address is P.O. Box 1058, Appomattox, VA. came forward and stated he felt the petition was pretty clear about what he wanted to do. He was prepared to answer any questions regarding this petition. There are several Bed and Breakfast establishments in the area but to his knowledge, there are no vacation rental homes.

Mr. Carter asked for additional comments for this petition.

Hearing none, Mr. Carter asked for comments against this petition.

Mr. Carter then asked Mr. Stidham to read the next petition:

01-462 - Jarrod D. Jamerson: Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 616 between Route 615 and U. S. 60, is Tax Map #12(A)2, and is zoned A-1.

Jarrod Jamerson, of Route 2, Box 49A, Gladstone, Va came forward and stated the petition speaks for itself.

Mr. Carter asked for comments for or against this petition. Hearing none, Mr. Carter asked Mr. Stidham to read the next petition.

01-463 - Jackie D. Kerr: Variance to §170-81(A) of the Appomattox County Zoning Ordinance pertaining to location of accessory building on lot. Property is located on Route 705 between Route 632 and Route 633, Tax Map #78(A)41E, and is zoned A-1.

Jackie Kerr whose address is P.O. Box 911, Appomattox, Va came forward and stated he wanted to place an accessory building on this lot, but according to the zoning ordinance requirements he would have to do a large amount of grading, creating a hardship on him.

Mr. Carter called for comments for or against this petition. Hearing none, he instructed Mr. Stidham to read the next petition.

01-464- Mable W. Slagle: Re-zone property from A-1 to M-1 with Conditional Use Permit for pattern and metal machinery shop per §170-51 of the Appomattox County Zoning Ordinance. Property is located on U. S. 460 between Route 634 and Route 695, Tax Map #77(A)64 and is zoned A-1.

Mr. Bob Goodman of Route 1, Box 836, Appomattox, came forward and stated he was interested in purchasing this property if it can be zoned as requested.

Mr. Carter asked if anyone else wished to speak for this petition.

Hearing none, Mr. Carter asked if anyone wished to speak against this petition.

W. E. Baldwin, of Rt. 2, Box 728, stated as long as Mr. Goodman buys the property he has no objections.

Mrs. Baldwin, of Rt. 2, Box 728, stated she has not objection as long as Mr. Goodman buys the property.

Mr. Carter then called for the next petition to be read.

01-465 - Thomas R. Nolen: Re-zone property from A-1 to R-1 per §170-8 of the Appomattox County Zoning Ordinance. Property is located on Route 613 between Route 703 and Route 661, Tax Map #49(A)53A and is zoned A-1.

Mr. Thomas Nolen of Route 5, Box 380, Appomattox stated he wished to subdivide this property into building lots for residential dwellings with the R-1 designation.

There was no one wishing to speak in favor of this petition, so Mr. Carter asked for comments against said petition.

Evans Thomas, of Route 4, Box 724, Appomattox, stated he had a practical problem as well as a philosophical problem with this re-zoning. The practical problem is it is basically in my back-yard. It is far down the Police Tower Road but it is still A-1 zoning around it. If this is approved you have R-1 part of the way down the road, then A-1 part of the way and then R-1 again. The philosophical problem is that it doesn't constitute a consistent plan on the part of the County or on the part of this Board. He objects because it is "spot zoning". This is not consistent with the comprehensive plan of the County.

Wayne Phelps, who gave his address as P. O. Box 386, Appomattox, stated he was against this petition. He owns property surrounding this property and is against cutting anything up into one (1) acre lots. He feels other land owners around this property feel the same as he does. He is against this petition.

Hearing no other comments on this petition, Mr. Carter asked Mr. Stidham to read the final petition.

01-466 - Terry and Margaret Clark: Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 605 between Route 683 and Route 664, Tax Map #9(A)8A, and is zoned A-1.

Ms. Margaret Clark of Route 4, Box 405, Appomattox came forward and stated she felt the Board and Planning Commission had all the information they needed to act on this petition.

Ms. Del Bryant, stated she was Mrs. Clark's daughter and she wished to be near her parents, as they are getting older and she wanted to be near them to help if necessary.

Mr. Carroll presented a printout of the revenue and the budget requests. This printout attempted to give some detail regarding budget expenditures. He feels it is better than looking at a printed sheet that indicates that something increased or decreased.

There is an estimate of Real Estate; Machinery & Tools; and Personal Property from Mr. Mays This figure is actually what is plugged into the Revenue.

Samuel Carter, Vice Chairman

The Compensation Board provides the salary information, office and equipment and benefits with regards to the Constitutional Officers. These are estimates, as the Compensation Board will not finalize their budget until May. There may also be a Board of Supervisors held a Budget The Sheriff's Department, the Clerk of the Court, and the Commonwealth Attorney are supposed to be funded at 100%; whereas, the Treasurer and the Commissioner of Revenue are not funded at 100% due to the fact that they have local duties.(approximately 60%). All benefits are paid by the Compensation Board with the exception of health care premiums and a portion of the VRS contribution.

The revenue from the ABC Wine tax and the rolling stock revenue are decreased by approximately 12% due to the reduction granted by Gov. Gilmore.

There are two new line items for this year: 1608-0003 Emanual Tire Company for $22,000. There may be related expenses for hiring the security personnel to keep the landfill open for the hours beyond the landfill hours. Emanuel Tire reimburses us for this. Also, Transfer from E911- we are transferring in $212,000 from the special tax fund to pay the expenses for this project.

There is a $35,000 line item in the Salary Study because of the April 16th, 2001 and asked Mr. and salaries. This increase will depend on the outcome of the Salary Study and Market Value. Additional funds to the Blue Cross figure are due to an estimated increase. This figures includes payment for everyone including Constitutional Officers.

Mr. Kendrick stated there was one item for discussion held over from the recessed meeting. He asked if everyone had had the opportunity to look over the Modified Redistricting Schedule. Workman's Compensation has been reduced due to the historical claims levels.

Mr. Carroll briefly discussed the schedule with the Presentation to the Board on May 7th; if the Board is happy with that presentation a Resolution by the Board accepting the Redistricting Plan for a Public Hearing to be held on May 21st should be passed at that time. The notice of the public hearing would be published in the newspapers on May 9th and May 16th. We generally do not accept what comes out of a public hearing on the date of the hearing due to time restraints we could adopt the Plan if there are no comments or changes and transmitting requests under the Freedom of Information Act.

Mr. Kendrick had some questions pertaining to this Web-site. Are we staffed well enough to handle this increase in activity. Most everyone agrees that the Redistricting Schedule as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carroll went into a discussion on the budget - Department by Department.

Mr. Kendrick turned the meeting over to Mr. Carroll for Budget discussion.

There is also an additional item of $750.00 for Employee/Employer Counseling in cases where

On April 23, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held a Budget Work Session at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA. 24522

PRESENT:

Jerry G. Kendrick - Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT:

Jesse Hancock - Falling River District

ALSO PRESENT:

Andy Carroll - County Administrator

At 6:05 P.M. Mr. Kendrick reconvened a recessed meeting from April 16th, 2001 and asked Mr. Carter to give the invocation.

At 7:20 P.M. Mr. Carter closed the public hearing.

Hearing none, Mr. Carter asked if anyone wished to speak against this petition.

W. E. Baldwin, of Rt. 2, Box 728, stated as long as Mr. Goodman buys the property he has no objections.

Mrs. Baldwin, of Rt. 2, Box 728, stated she has not objection as long as Mr. Goodman buys the property.

Mr. Carter then called for the next petition to be read.

01-465 - Thomas R. Nolen: Re-zone property from A-1 to R-1 per §170-8 of the Appomattox County Zoning Ordinance. Property is located on Route 613 between Route 703 and Route 661, Tax Map #49(A)53A and is zoned A-1.

Mr. Thomas Nolen of Route 5, Box 380, Appomattox stated he wished to subdivide this property into building lots for residential dwellings with the R1 designation.

There was no one wishing to speak in favor of this petition, so Mr. Carter asked for comments against said petition.

Evans Thomas, of Route 4, Box 724, Appomattox, stated he had a practical problem as well as a philosophical problem with this re-zoning. The practical problem is locating the furniture and furnishings for the new elementary school. It is far down the Police Tower Road but it is still A-1 zoning around it. If this is approved you have R-1 part of the way down the road, then A-1 part of the way and then R-1 again. The philosophical problem is that it doesn't constitute a consistant plan on the part of the County or on the part of this Board. He objects because it is "spot zoning". This is not consistent with the comprehensive plan of the County.

Wayne Phelps, who gave his address as P. O. Box 386, Appomattox, stated he was against this petition. He owns property surrounding this property and is against cutting anything up into one (1) acre lots. He feels other land owners around this property feel the same as he does. He is against this petition.

Hearing no other comments on this petition, Mr. Carter asked Mr. Stidham to read the final petition.

01-466 - Terry and Margaret Clark: Conditional Use Permit for a second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 605 between Route 683 and Route 664, Tax Map #9(A)8A, and is zoned A-1.

Ms. Margaret Clark of Route 4, Box 405, Appomattox came forward and stated she felt the Board and Planning Commission had all the information they needed to act on this petition.

Ms. Del Bryant, stated she was Mrs. Clark's daughter and she wished to be near her parents, as they are getting older and she wanted to be near them to help if necessary.

At 7:00 P. M. Mr. Carter made a motion seconded by Mr. Kendrick that the Board take a brief recess. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. More, aye.

At 7:11 P.M. Mr. Kendrick reconvened the meeting.

Mr. Carroll continued with the proposed budget. Department by department.

Mr. Carroll presented several alternatives for the School Budget.

There was a lengthy discussion regarding the School Budget that Average Daily Membership; and the Federal and State Funds.

Mr. Perrow of the School Administration and Dr. Krug, Superintendent of Schools explained some of this process to the Board.

Several Board Members were unclear as to what exactly was decided regarding the furniture and furnishings for the new elementary school.

Mr. Carroll was asked to find the actual motion made regarding the Elementary School Project regarding the furniture and furnishings.

Mr. Kendrick stated he felt the Board needed to take the information received tonight, study it thoroughly and have another budget meeting with members of the School Board present to answer any questions that may arise.

At 8:26 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Carter, aye.

_____
Jerry C. Kendrick, Chairman

Vacation rental. Mr. Carter asked if anyone wished to speak against this petition.

Mr. Baldwin, of Rt. 2, Box 728, stated as long as Mr. Goodman buys the property he has no objections.

Mr. Johnson Wilson, whose address is P.O. Box 1058, Appomattox, VA. came forward and stated he felt the petition was pretty clear about what he wanted to do. He was prepared to answer any questions regarding this petition. He stated he had no objections as long as Mr. Goodman buys the property.

Mrs. Baldwin, of Rt. 2, Box 728, stated she has no objections as long as Mr. Goodman buys the property.

To the best of his knowledge, there are no vacation rental homes.

Mr. Carter asked if there were any comments for this petition.

Mr. Carter asked if there were any additional comments for this petition.

01-465 - Thomas Nelson Reed requests a Conditional Use Permit per §170-8 of the Appomattox County Zoning Ordinance. Property is located on Route 613 between Route 703 and Route 661, Tax Map #49(A)63, and is zoned A-1.

Mr. Carter then asked Mr. Stidham to read the next petition:

01-462 - Harold D. Jamerson, Box 380, Appomattox stated he wished to subdivide this property on the Appomattox County Zoning Ordinance. Property is located on Route 616 between Route 615 and U. S. 60, is Tax Map #12(A)2, and is zoned A-1.

There was no one wishing to speak in favor of this petition, so Mr. Carter asked for comments against said petition.

Jack Kennon, whose address is Route 2, Box 49A, Gladstone, Va came forward and stated the petition speaks for itself.

Evans Thomas, of Route 4, Box 724, Appomattox, stated he had a practical problem as well as a physical problem with this rezoning. The physical problem is he has A-1 zoning on both sides of his property. The practical problem is that if this petition is approved he will have R-1 part of the way down the road, then A-1 part of the way and then R-1 again. The philosophical problem is that he objects to "spot zoning". This property is located on Route 705 between Route 632 and Route 633, Tax Map #78(A)41E, and is zoned A-1.

Mr. Carter asked Mr. Stidham to read the next petition.

01-463 - Isabelle D. Kerr, Variance to §178-81 Plan of the Appomattox County Zoning Ordinance pertaining to the subdivision of land. Property is located on Route 705 between Route 632 and Route 633, Tax Map #78(A)41E, and is zoned A-1.

Wayne Phelps, whose address is P.O. Box 91, Appomattox, came forward and stated he was against this petition. He owns property surrounding this property and is against cutting anything up into one (1) acre lots. He feels other land owners around this property feel the same as he does. He is against this petition.

Mr. Carter called for comments for or against this petition. Hearing none, he instructed Mr. Stidham to read the next petition.

Hearing no other comments on this petition, Mr. Carter asked Mr. Stidham to read the final petition.

01-466 - Mary Margaret Clark, Conditional Use Permit to allow a second dwelling unit for parent and the Appomattox County Zoning Ordinance. Property is located on Route 605 between Route 683 and Route 668, Tax Map #9(A)8A, 63A and is zoned A-1.

Ms. Margaret Clark of Route 4, Box 405, Appomattox came forward and stated she felt the Board and Planning Commission had all the information they needed to act on this petition.

Mr. Bob Goodman of Route 4, Box 836, Appomattox, came forward and stated he was interested in purchasing this property if it can be zoned as requested.

Ms. Del Bryant, stated she was Mrs. Clark's daughter and she wished to be near her parents, as they are getting older and she wanted to be near them to help if necessary.

Mr. Carter asked if anyone else wished to speak for this petition.

Mr. Carter asked for any further comments for or against this petition.

At 7:20 P.M. Mr. Carter closed the public hearing.

Samuel E. Carter

Samuel Carter, Vice Chairman

On April 23, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held a Budget Work Session at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA. 24522

PRESENT:

Jerry G. Kendrick - Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT:

Jesse Hancock - Falling River District

ALSO PRESENT:

Andy Carroll - County Administrator

At 6:05 P.M. Mr. Kendrick reconvened a recessed meeting from April 16th, 2001 and asked Mr. Carter to give the invocation.

Mr. Kendrick stated there was one item for discussion held over from the recessed meeting. He asked if everyone had had the opportunity to look over the Modified Redistricting Schedule.

Mr. Carroll briefly discussed the schedule with the Presentation to the Board on May 7th; if the Board is happy with that presentation a Resolution by the Board accepting the Redistricting Plan for a Public Hearing to be held on May 21st should be passed at this time. The notice of the public hearing would be published in the newspaper on May 9th and May 16th . We generally do not accept what comes out of a public hearing on the date of the hearing but due to time restraints we could adopt the Plan if there are no comments made that give the Board concern. The Board could however, schedule a meeting for later that same week to adopt a different Redistricting Plan. After this, we need to submit the Plan to the County Attorney.

Mr. Carter made a motion seconded by Mr. Carwile to accept the Redistricting Schedule as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick turned the meeting over to Mr. Carroll for Budget discussion.

Mr. Carroll presented a printout of the revenue and the budget requests. This printout attempted to give some detail regarding budget expenditures. He feels it is better than looking at a printed sheet that indicates that something increased or decreased.

There is an estimate of Real Estate; Machinery & Tools; and Personal Property from Mr. Mays This figure is actually what is plugged into the Revenue.

The Compensation Board provides the salary information, office and equipment and benefits with regards to the Constitutional Officers. These are estimates, as the Compensation Board will not finalize their budget until May. There may also be a position freeze.

The Sheriff's Department, the Clerk of the Court, and the Commonwealth Attorney are supposed to be funded at 100%; whereas, the Treasurer and the Commissioner of Revenue are not funded at 100% due to the fact that they have local duties.(approximately 60%). All benefits are paid by the Compensation Board with the exception of health care premiums and a portion of the VRS contribution.

The revenue from the ABC Wine tax and the rolling stock revenue are decreased by approximately 12% due to the reduction granted by Gov. Gilmore.

There are two new line items for this year: 1608-0003 Emanual Tire Company for $22,000. There may be related expenses for hiring the security personnel to keep the landfill open for the hours beyond the landfill hours. Emanuel Tire reimburses us for this. Also, Transfer from E911- we are transferring in $212,000 from the special tax fund to pay the expenses for this project.

There is a $35,000 line item in the Salary Study because of the review being done on positions and salaries. This increase will depend on the outcome of the Salary Study and Market Value. Additional funds to the Blue Cross figure are due to an estimated increase. This figures includes payment for everyone including Constitutional Officers.

Workman's Compensation has been reduced due to the historical claims levels.

Professional Services has been raised to $50,000. Part of which would be use to develop a Web-site for Governmental Services at a cost of $5,000 - $10,000. Ideally this would give the public access to minutes of various Boards and Committees; what is on certain Agendas, etc. thereby bringing the people closer to the Government. They could also respond back to us through the internet. This would also eliminate staff time spent in locating and transmitting requests under the Freedom of Information Act.

Mr. Kendrick had some questions pertaining to this Web-site. Are we staffed well enough to handle this increase in activity. Most everyone agrees this may be a good idea.

Mr. Carroll went into a discussion on the budget - Department by Department.

There is also an additional item of $750.00 for Employee/Employer Counseling in cases where

there would be benefits to employees from this type of service. The Sheriff's Department and the School System are already benefitting from counseling services.

Mr. Carroll presented figures on other line items pertinent to the budget. He also stated these figures were basically bringing things in line with what has been spent the last couple of years.

At 7:00 P. M. Mr. Carter made a motion seconded by Mr. Kendrick that the Board take a brief recess. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. More, aye.

At 7:11 P.M. Mr. Kendrick reconvened the meeting.

Mr. Carroll continued with the proposed budget - Department by Department.

Mr. Carroll presented several alternatives for the School Budget.

There was a lengthy discussion regarding the School Budget; the Average Daily Membership; and the Federal and State Funds.

Mr. Perrow of the School Administration and Dr. Krug, Superintendent of Schools explained some of this process to the Board.

Several Board Members were unclear as to what exactly was decided regarding the furniture and furnishings for the new elementary school.

Mr. Carroll was asked to find the actual motion made regarding the Elementary School Project regarding the furniture and furnishings.

Mr. Kendrick stated he felt the Board needed to take the information received tonight, study it thoroughly and have another budget meeting with members of the School Board present to answer any questions that may arise.

At 8:26 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Carter, aye.

Jerry G. Kendrick, Chairman

At 5:30 P.M. on Monday, April 30, 2001 the Appomattox County Board of Supervisors held a Visioning Session at the Appomattox County Community Center. Also invited to participate were: the Appomattox County Planning Commission, the Appomattox County Board of Zoning Appeals, the Town of Appomattox, the Town of Pamplin and the Appomattox County Industrial Development Authority.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: (Board of Supervisors)
Jesse Hancock - Falling River District

ALSO PRESENT:
Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner.

At 6:15 P.M. Mr. Kendrick called the Visioning meeting to order with the Planning Commission, the Board of Zoning Appeals, I.D.A. and the Town Councils opening their meetings.

Mr. John Spencer began the meeting by stating the purpose for the meeting and introduced the speaker, Dr. Michael Chandler, Professor at Virginia Tech.

With the aid of hand-outs and flip charts, Dr. Chandler presented those present with some issues and challenges that will be of importance to the County in developing a Comprehensive Plan in the near future.

Mr. Kendrick excused himself at approximately 9:15 p.m.

At 9:20 P.M. on a motion by Mr. Carter seconded by Mr. Carwile the meeting was adjourned.
VOTE: Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick - Chairman

On Monday, May 7, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held its regular monthly meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va 24522

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:

Andy Carroll - County Administrator
John K. Spencer, Jr. - Assistant County Administrator

PRESENT: (Redistricting Committee)
Sabrina Smith - General Registrar
Bobby Mitchell - School Board
Jesse Hancock - Board of Supervisors
Fred Underwood - Electoral Board
Betty Ford - Community at Large
Russell Minnick - Timmons Corporation

At 7:00 P.M. Mr. Kendrick opened the meeting and asked Mr. Carter to give the invocation.

Mr. Kendrick called the Redistricting Committee to make its presentation of the Proposed Voters Redistricting Plan for Appomattox County.

Mr. Fred Underwood came forward as the spokesman for the Committee and stated the committee had work extremely hard in drawing up this plan. He also explained the process which the Committee had used in developing the final version.

Mr. Underwood then asked Mr. Minnick if he would present the plan to the Board.

Mr. Minnick informed the Board that the State had put out guidelines for the redistricting. This document was used to guide the committee in its approach as to how to accomplish this task, with respect to perimeters, etc without changing Census blocks. As much as possible they tried to maintain a balance in the population within the various voting districts, as well as the racial composition of the county. The end goal statistically must be within a 10% deviation of population within the districts.

Mr. Underwood then went over the statistics used. They began their process by taking the 1990 Census data and overlaying it with the 1991 Collection District Boundaries. They worked with various maps and several versions before arriving at the version presented tonight. They also had to take into consideration the various voting precincts so as not to move a boundary too close thereby creating a problem with a voting place. (Voter convenience).

At the conclusion of the presentation, he received questions and comments from the Board.

Mr. Carwile had some question regarding the precinct changes.

Mr. Kendrick thanked and excused the Redistricting Committee.

Mr. Kendrick asked if the Board of Supervisors wished to comment and if the Board wished to have a Public Hearing on the redistricting plan.

Mr. Kendrick made a motion seconded by Mr. Moore to accept the Redistricting Plan as presented

and hold a Public Hearing on May 21st. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick asked Mr. Earl Pickett of the Appomattox County School Board to come forward to answer some questions the Board of Supervisors has regarding the School Budget.

Mr. Carwile expressed interest in the difference between last years budget and the proposed budget for this coming year.

Mr. Pickett stated the actual budget is less in matching local dollars.

Mr. Carter and Mr. Moore wanted to know what the ADM (Average Daily Membership) would be for this year?

The School has projected 2346 whereas the State projection is 2328. State funding is based on the March 31st ADM.

Mr. Kendrick would like some explanation on the School Construction Grant Funds. Can this be used for debt retirement? What is this money being used for?

There was a lengthy discussion regarding what these funds can be used for. These monies can be used for debt service and can be rolled over under certain circumstances.

Mr. Kendrick thanked and excused Mr. Pickett, Mr. Perrow and Dr. Krug.

Mr. Carroll presented some points of consideration on up-to-date changes in the FY 2002 Budget and the differences between the previous budget and the one presented for consideration at this time.

There were several questions raised regarding the School Board figures for matching funds.

Mr. Carroll also presented some changes to the revenue projections for FY 2002.

Mr. Kendrick suggested that another work session be held to get more information on the FY 2002 budget as it is the feeling of the entire Board that the tax rate not be raised, but at the same time, not have to cut too deeply into the School Budget. The members basically agreed to meet on Saturday, May 12th at 12:00 P.M.

Supervisor's Concerns: Mr. Kendrick asked if anyone had anything to discuss.

Mr. Carwile is concerned with the expense of creating a website for the public. In the past the minutes have been placed in the Clerk's Office as other permanent records, available to the public. Also not everyone has access to the Internet.

Mr. Carwile stated that in February of 2000, there was much concern regarding funding for the Courthouse renovation. He has been in touch with Daniel Gecker, the gentleman who actually wrote

the code on the historical grants and he would like to pass the information on to Mr. Carroll to be placed on the agenda for the next Board meeting.

Mr. Kendrick stated that it was necessary to enter into a closed session in accordance with §2.1-344(A)-1 personnel matters.

At 8:02 P.M. Mr. Carter made a motion seconded by Mr. Kendrick to enter into a closed session to discuss a personnel matter. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 8:15 P.M. on a motion by Mr. Moore, seconded by Mr. Carter it was resolved that the Board return to regular session. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

On a motion the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2..1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick called for action on **Administrative Items: (Items 1-6)**

1. Planning Commission Recommendations: The Planning Commission has recommended approval of the following petitions:
01-462 - Jarrod D. Jamerson: Conditional Use Permit to place a second dwelling on lot per §170-23 of the Appomattox County zoning Ordinance. Property is located on Route 616 between Route 615 and U. S. 60, Tax Map #12(A)2, and is zoned A-1.

01-466 - Terry and Margaret Clark: Conditional Use Permit to place second dwelling on lot per§170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 605 between Route 683 and Route 664, Tax Map #9(A)8A, and is zoned A-1.

Mr. Hancock made a motion seconded by Mr. Moore to approve Petitions 01–462 - Jarrod D.

Jamerson and 01-466 - Terry and Margaret Clark as presented by the Planning Commission. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The Planning Commission recommended the following petitions be approved by formal motion: **01-464 - Mable W. Slagle:** Re-zone property from A-1 to M-1 with Conditional Use Permit for pattern and metal machinery shop per §170-51 of the Appomattox County Zoning Ordinance. Property is located on U. S. 460 between Route 614 and Route 695, Tax Map #77(A)64, and is zoned A-1.

Mr. Moore made a motion seconded by Mr. Kendrick to approve Petition #01-464 of Mable W. Slagle for reasons of public necessity, convenience, general welfare, and good zoning practice to re-zone a parcel of land located at Tax Map #77-(A)64 from A-1 to M-1. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

01-465 - Thomas R. Nolen: Re-zone property from A-1 to R-1 per §170-8 of the Appomattox County Zoning Ordinance. Property is located on Route 613 between Route 703 and Route 661. Tax Map #49(A)53A, and is zoned A-1.

Mr. Hancock made a motion seconded by Mr. Carter to approve Petition #01-465 of Thomas R. Nolen for reasons of public necessity, convenience, general welfare, and good zoning practice to re-zone a parcel of land located at Tax Map #49(A)53A from A-1 to R-1. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. **Procurement Limits:** Mr. Carroll is asking the Board to consider adopting a resolution raising the procurement limits for services the County may acquire. The adoption of this resolution would bring the County limits in line with the Code of Virginia.

There was a lengthy discussion regarding the limits involved.

Mr. Kendrick made a motion seconded by Mr. Carwile to adopt the Procurement Resolution as follows:

RESOLUTION
PROCUREMENT

WHEREAS, Section 11-41 of the Code of Virginia 1950, as amended, established the approved guidelines for public bodies to enter into Contract Formation and Administration, and

WHEREAS, Section 11-41.F of the Code of Virginia states that a public body may establish purchase procedures, if adopted in writing, not requiring competitive sealed bids or competitive negotiation for single or term contracts for goods and services other than professional services if the aggregate or the sum of all phases is not expected to exceed $50,000; however, such small purchase procedures shall provide for competition wherever practical. Purchase under this subsection that are expected to exceed $30,000 shall require the written informal solicitation of a minimum of four bidders or offerors, and

WHEREAS, Section 11-41.G of the Code of Virginia states a public body may establish purchase procedures, if adopted in writing, not requiring competitive negotiation for single or term contracts for professional services if the aggregate or the sum of all phases is not expected to exceed $30,000; however, such small purchase procedures shall provide for competition whenever practical.

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors do hereby adopt and establish such a procedure with the monetary limits set forth in the Virginia Public Procurement Act under Sections 11-41.F and 11-41.G of the Code of Virginia.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

3. Tax Levy: Mr. Carroll reminded the Board that they need to set the Real Estate Tax Levy at tonight's meeting. The Board also needs to extend the deadline for collection of taxes until June 20, 2001 to allow the Commissioner of Revenue and the Treasurer time to prepare statements.

Mr. Carroll suggested that the Board also consider setting the Personal Property Rate at this time.

Mr. Kendrick made a motion seconded by Mr. Moore to set the Tax Levy Rate at .80 cents per $100 of assessed value for Real Estate and the Personal Property at $3.50 per $100 assessed valuation and the Merchants Capitol at $1.00 per $100 assessed valuation; also to extend the deadline for tax collection to June 20, 2001. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. Housing and Assistance Office: Mrs. Shirley Jones has resigned from her position as Rental Housing Assistance Agent. Mr. Carroll has addressed two options for continuing this program as it does provide a need for residents of our County. The Board could decide to hire another employee to administer this program. This would involve extensive training for a new person, plus this new employee would require supervision from within the Administrator's Office. However, Mr. Carroll is not recommending the Board hire someone in this position, since there is another viable option.

Lyn-Cag (Lynchburg Community Action Group) is willing to run this program for the County. They already provide services to the County for HOPWA (Housing Assistance for People with Aids) and a Indoor Plumbing Program. However, they do not currently have office space within the County. They would like for Appomattox County to provide office space from which they could operate these programs. They would pay for any costs directly attributed to their operation.

We would need to enter into a Memorandum of Understanding (MOU) with Lyn-Cag specifying donated office space and costs that may be charged to them, as well as they would be required to submit an annual report to the Board of Supervisors regarding the effectiveness of the programs offered in the County.

There was much discussion regarding this issue. Mr. Carwile stated he would have no input into the discussion so as not to imply any conflict of interest.

Mr. Carter made a motion seconded by Mr. Kendrick to authorize Mr. Carroll to enter into a

Memorandum of Understanding with Lyn-Cag to administer the Rental Housing Assistance Program for Appomattox County. Vote: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Moore, aye; and Mr. Carwile; abstained.

5. Industrial Development Fund: The Board at its Budget Workshop has discussed the possibility of creating an Industrial Development Fund in the amount of $100,000. The Board needs to adopt a resolution if it agrees to create this Fund.

Mr. Carwile raised some questions regarding establishing this fund.

After lengthy discussion, the Board by consensus, decided not to establish the Industrial Development Fund and not to include this $100,000 in the upcoming budget.

6. Virginia Tobacco Indemnification and Community Revitalization Commission: There is $45,000 available to Appomattox County as a result of the Virginia Tobacco settlement. Mr. Carroll is requesting the Board to consider applying a $5,000 in matching grant funds for the purpose of signage. These funds could be used for improving or replacing welcome signs at the entrances to the County, etc. The deadline for submitting grant requests is May 15, 2001.

Mr. Kendrick made a motion seconded by Mr. Moore to approve the $5,000 matching funds and allowing a grant application be submitted prior to the deadline of May 15, 2001. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The Board next considered the **Consent Agenda: (Items 7 - 17)**

7. Approval of Minutes: Approve minutes of regular meeting of April 2, 2001; minutes of Public Hearing of April 2, 2001 on Proposed Telecommunication Facilities Ordinance; regular meeting of April 16, 2001 and Public Hearing with Planning Commission on April 16, 2001.

8. Approval of Bills: Approve payment of Bills for Month of April, 2001.

Board Action:

9. New Elementary School: The Board will continue to waive the permit fees associated with construction of the new elementary school, such as: Erosion & Sediment Control; Building Permit and Landfill fees.

10. FCCLA: This group from the Appomattox County High School has requested the Board donate funds toward a trip to California. The total cost involved is around $11,000. Mr. Carroll was instructed at a previous meeting to review similar requests. The Board denied a similar request in April 2000. By approving the Consent Agenda, the Board will deny this request.
By consensus, the Board tabled this request.

11. Lion's Club Food Festival: The Lion's Club has submitted an application to hold their Food Festival on May 18, 2001 at Paradise Lake. They also request that the bond and fee be waived. The Board should amend the permit to read: 1) Garbage and trash disposal must be handled by either a private contractor or hauled directly to the landfill; 2) Sanitation facilities (port-a-johns) will be

provided.

SUPPLEMENTAL APPROPRIATIONS:

12. Please approve the following supplemental appropriations:

Board of Supervisors - 1101-5803 - Refund	$ 45.64
Magistrate - 2130-5203 - Telephone	$182.16
2130-5401 - Office Supplies	$ 93.29
General Properties - 4302-5308 - General Liability	$ 50.00

13. **Library:**
Please approve the enclosed supplemental appropriation request:

7301-5411 - Books	$35.35
7301-5415 - Summer Reading	$104.75
7301-5401 - Office Supplies	$197.85

14. **CVCC Contributions:** The Board in the past approved a contribution of $19,820 to CVCC for the three year development of the Space/Equipment Project. The Board by approving the Consent Agenda is authorizing payment of the first disbursement and is also supplementing line item 6401-5604 by $381.100 to avoid a negative balance in the category.

15. **Fire Fighters Policy:** Please supplement line item 3202-5309 - Fire Fighters Policy by $98.00 to reflect increase insurance coverage as approved by the Board on April 16, 2001.

Line Item Transfers:

16. Please approve the following line item transfers:
    a) Treasurer:
    Transfer of $750.00 from 1213-1003 - Part-time Salaries to 1213-7002 - Computer Assistance for updating BAI software.
    b) Planning Department:
    Line item transfers to better reflect expenditures:
    from: 8111-3007 - Advertising - $107.68
    8112-5504 - Convention/Education - $100.00
    to: 8111-5401 - Office Supplies - $7.68
    8111-5201 - Postage - $100.00
    8112-5401 - Office Supplies - $100.00

17. **Education/Convention:**
$150.00 for state certification examination fee for George Johnson to take the Solid Waste Certification exam.

After some discussion, Mr. Moore made a motion seconded by Mr. Carter to approve the **Consent Agenda** as presented with the exception of Item 10 which was by consensus tabled. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The Board next addressed the **Informational Items:**

18. **Administrator's Report:** Mr. Carroll has presented the Board with his report for May.
19. **DEQ HB1205 Landfill Closure Prioritization:** DEQ has submitted its Landfill Closure Prioritization schedule site score sheet.
20. **Housing Assistance Report:** Mrs. Jones has submitted the monthly report for the Board's review.
21. **Timber Harvesting:** The School Board reports that the timber harvest from the New Elementary School Site to be $8,140.92. This has been transferred to the County's general fund.
22. **Information & Referral Center:** Statistics for the first quarter of 2001.
23. **Landfill Inspection Report:** DEQ has submitted its Inspection Report for the Landfill.
24. **School Board Financial Report:** The School Board has submitted its financial report for the month of June, 2001.

The Board was reminded of the upcoming Business Appreciation Week Luncheon on May 15th at 12 noon at the Moose Lodge. Mr. Moore, Mr. Carter, Mr. Hancock and Mr. Carwile have all expressed their desire to attend.

The Regular Board meeting with a Public Hearing with the Planning Commission and a Public Hearing on Redistricting Plan is scheduled for May 21st, 2001.

At 9:05 on a motion by Mr. Moore, seconded by Mr. Carter the meeting was recessed until 1:00 p.m. on Saturday, May 12, 2001. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

The Appomattox County Board of Supervisors held a Budget Work Session on Saturday, May 12, 2001 at 1:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator

At 1:00 P.M. Mr. Kendrick called the meeting to order and asked Mr. Carter to give the invocation.

Mr. Kendrick asked Mr. Carroll if he like to consider budget items as listed on the Agenda. Mr.

Carroll stated he felt it would be best to follow some outline rather than skipping around.

Mr. Carroll stated that the budget has a short fall of $254,876.

Mr. Carroll suggested they start with the School Budget since it was the most complex and was most likely of the most concern to the Board members.

1) School Budget:

I. School Budget - Chapter 1073:

The budget submitted by the School Board was based on the Governor's proposed amendments, but since the General Assembly adjourned , there will not be any changes to the State Budget. The funding level for the school will probably be Chapter 1073. We had discussed these alternates (#2 & #3) previously, basing our figures on the Average Daily Membership (ADM). By using the ADM of 2346, we will have a decrease in local funds of approximately $84,000. Using the State projected ADM of 2328 there will be a decrease of $112,000. The decision is at what ADM level does the Board want to fund?

After some discussion, the Board decided to fund the School Budget based on Chapter 1073, ADM 2346, Alternate #2.

II. School Budget - Incentive Based Programs:

There are still some things with the Elementary School Project that will effect this item. The ADM level will also have an effect on this funding. Based on Chapter 1073 with a ADM of 2346, the State will fund $1,350,000 for incentive based programs if the Board provides a local match of $480,000.

After some discussion, the Board decided to fully fund the Incentive Based Programs.

The Board also gave Mr. Carroll permission to sign all documents related to the Incentive Based Programs.

III. Budget and AES Project:

Furniture/Equipment: The school has included $135,000 from the remainder of the Special Project Fund and the CIP account to be used for purchasing furnishings for the AES project. This amount is over and above the required funding and does not gain additional matching funds.

There were no changes to this figure.
Total funding for School Budget - $15,222,581.

IV. Budget Categorization:

Mr. Kendrick asked Mr. Carroll to discuss this item. Mr. Carroll began by stating that in the past the Board has approved the budget as a whole and separating out the School food fund. What the Board can do is separate out the Budget into seven (7) categories: instruction, maintenance, etc., that the School Board breaks their budget down into. If the Board approves the Budget in this way, the School Board can rotate these funds within each category, but they cannot transfer from one category

to another category. This is something Mr. Carroll just became aware of this week and was asking if the Board wanted to break down the School Budget in this manner or continue as we have in the past. If you approve the budget by categories, then the School Board will have to approve these figures to be sure they have them broken down in the correct categories.

By approving the School Budget by categories, the Board of Supervisors have a better picture of where the funds are being spent.

Mr. Kendrick stated he would like to leave things as they are this year and maybe consider categorizing for next year. Since we are well into this budget process he would like to get it finalized as soon as possible.

Mr. Carwile agrees with Mr. Kendrick.

The Board agreed to wait until next year to have the School Board categorize their Budget.

2) Library:

At the last meeting, Mr. Carroll is not sure he was as clear as he should have been. Essentially, there is a minimum amount of local funding. The only reason we see what categories and line items they are actually in, is because we actually pay the bills. Ultimately, the Library Board could say, "we want our own checking account, transfer to us the local amount and we will write our own checks", then the Board of Supervisors would never see what those bills were for, much like the School Board does. The Library could then do a monthly appropriation request or do a monthly financial report as the School does. However, we do have to have that minimum level of funding.

However, the Board does pay the water, sewer and electric services for the Library and that counts as our match, essentially $95,000 a year. The Board can say, we will fund the $95,000 and still pay for those common governmental funds which amounts to another $7,000 or they could say $95,000 and the library pay for the utilities.

There were some questions, regarding the State funding without being locked into an increasing level based on each year, we probably need to look at something like what Mr. Carroll is proposing, and that is $145,000 but only appropriating $95,000 on July 1st, until we get the State funds. If we do not receive State funds, then we do not appropriate more than the $95,000. And if we do not receive Town funds, then we do not appropriate that amount either. As long as the Library Board is aware of this, they should not obligate themselves beyond those means.

The other thing is, that fines, fees and grants do not count against the local match. Mr. Carroll recommends the Board continue to supplement these funds.

The Board decided to fund the Library at $95,000 with the Library paying its own utilities.

By taking out this $32,731 the new budget figure $138,229.

3) Contributions - 7109:

The Boards consensus after some discussion was to fund only those items funded last year.

Mr. Carroll stated he had received a call from Barry Lyons, of the Small Business Development Center. They make loans to small businesses in the community. Mr. Lyons has requested a contribution of $5,000 but would appreciate any thing the Board could contribute. He receives one State dollar and one Federal dollar for every Local dollar he receives. (For $5,000 he would actually receive $15,000 to his program.) The Board agreed by consensus not to fund the SBDC at this time.

By removing $16,996 the budget figure drops to $121,233.

4) Sheriff's Department:

The Town funds approximately $80,000 to the Sheriff's Budget, with the County picking up the additional $17,000. Mr. Carroll suggests cutting the Part-Time Salaries $13,000 and the associated FICA by $995 for a total reduction of $13,995, as there is no one in this position at the present time.

The decision of the Board was to reduce the Sheriff's Budget by $13,995, bringing the Budget figure to $107,238.

5) Fire and Rescue:

At a previous meeting we discussed a request from Appomattox Fire Department and Pamplin Fire Department dealing with retirement, which is VOLSAP. This was meant to be a State program to assist with volunteer attraction and retention by giving them an incentive to stay on the volunteer programs for about 20 years.

We have since found out that this will not benefit the majority of the members already serving with these departments. The Board may want to wait and during the upcoming year look into some ways to put a policy in place to help, if they feel it is needed. The Committee is still in place and can discuss this at any time.

After discussion the Board decided to deduct this $10,800 leaving a Budget figure of $96,438.

6) Board concerns and questions regarding the budget:

Mr. Carwile questioned the Compensation Board not approving any pay increases to its employees. Should we still consider the 3.5% we discussed for pay raises for County employees?.

The other Board members felt we should be ok with the interest income but it all depends on the spin down schedule.

$96,438+ revenue added in from interest income generated from the Literary Loan Anticipation Note..

Mr. Carroll suggested the need for a Legislative Agenda to talk with our delegate and senator to discuss State and Federal issues, and pass this information on to VACo for their discussion and inclusion as well. Maybe we should include this at either our June or July meeting.

There was some general discussion regarding future revenue and ways of generating revenue.

7) Public Hearing:
Mr. Carroll will prepare the notice for public hearing and schedule the public hearing for June 4, 2001 at 6:00 P.M.

The Board could then vote on the proposed Budget at its June 18th meeting.

At 2:10 P.M. Mr. Carter made a motion seconded by Mr. Carwile to recess until May 15, 2001 at 12:00 noon . VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

At 12:00 noon on Tuesday, May 15th, 2001 the Appomattox County Board of Supervisors attended a Luncheon held at the Appomattox Moose Lodge commemorating Business Appreciation Week (May 13-19, 2001).

Present were: Mr. Hancock, Falling River District; Mr. Carter, Courthouse District; Mr. Carwile, Wreck Island District and Mr. Moore, Piney Mountain District. Mr. Kendrick, Appomattox River District, did not attend.

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Also present: Andy Carroll, County Administrator and John K. Spencer, Assistant County Administrator.

The meeting was not open as there was no business discussed or conducted.

Samuel Carter, Vice Chairman

On Monday, May 21, 2001 the Appomattox County Board of Supervisors held it's regular scheduled meeting at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District

Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner

At 6:00 p.m. Mr. Kendrick opened the meeting and asked Mr. Moore to give the invocation.

Two members of the FCCLA from the Appomattox High School were scheduled to appear before the Board on behalf of their organization. Due to illness, they will not be here tonight. This will be rescheduled for the June 4th meeting.

Mr. Kendrick asked if any supervisors had a concern he wished to address at this time.

No concerns at this time.

Mr. Kendrick stated the Board would then address the **ADMINISTRATIVE ITEMS:**

1. **Redistricting:** The Board has the Redistricting Ordinance to consider for adoption. However, Mr. Kendrick felt it appropriate to address this item after the Redistricting Public Hearing scheduled for 7:15 P.M.

2. **Robinson, Farmer & Cox:** Robinson, Farmer & Cox has submitted a proposal to continue performing the County's auditing services and also to perform the GASB34 implementation.

Mr. Carroll is proposing that the Board accept these proposals and authorize him, as County Administrator, to execute both of these contracts.

There was an in-depth discussion of the services performed during audits and is the Board could request a more precise audit of any one particular department or subject? There were also some questions regarding the GASB34 contract.

Mr. Carwile made a motion seconded by Mr. Carter to accept the proposals of Robinson, Farmer & Cox to perform the County's auditing services and also to give Mr. Carroll the authority to execute said contracts. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Joint Meeting with the Town of Appomattox:** The Town would like to schedule a meeting with the Board to discuss the Fire Department Contributions and conduct a tour of the sewer treatment plant. Does the Board have any items to add to the agenda and any dates for consideration?

Mr. Carter has requested that the Water Study be added to the agenda.

Mr. Carwile had some questions regarding Tourism. Mr. Kendrick stated that as the Board's representative on the Joint Tourism Committee that he felt any discussion by the Council and Board prior to receiving that recommendation would be premature.

June 12th or June 13th at 7:00 P.M. would be agreeable to the majority of the Board members.

4. **Porter Store Road Resolution:** Adoption of resolution necessary to give County Administrator authority to accept necessary deeds to bring Porter Store Road into the state's secondary road system.

After a brief discussion Mr. Carwile made a motion seconded by Mr. Moore to adopt the following resolution for bringing Porter Store road into the secondary road system.

RESOLUTION

WHEREAS, the Virginia Department of Transportation **("VDOT")** and the County assigned road viewers have determined that the private right of way commonly known as Porter Store Road (a.k.a., Porter House Road) is eligible for one hundred percent (100%) construction funding for improvements necessary for its inclusion into the state secondary system of highways **(the "Road")**; and

WHEREAS, the Appomattox County Board of Supervisors **(the "Board")** has accepted the recommendation from the road viewers for addition of Porter Store Road into the Virginia secondary system of highways and has prioritized it for inclusion on the rural addition list; and

WHEREAS, it is necessary for the property owners along Porter Store Road to convey to the County their interest in the real estate necessary for the establishment of Road to the public use; and

WHEREAS, it is necessary for the County of Appomattox to accept such conveyance of property interests for the creation of a state secondary road; and

WHEREAS, the property owners who petitioned for improvements to the Road and its inclusion into the state secondary system of highways have represented to Board and the County Administrator that all real property for the creation of this state secondary road will be donated by such property owners at no cost to the County;

NOW, THEREFORE, be it resolved, that the Board does hereby authorize (i) the acquisition by gift of such real property interests and rights of way as are necessary for VDOT to establish and build the Road, including without limitation, the real property depicted on the attached plat of survey and identified as comprising the Road, (ii) the transfer and conveyance of the County's interest in such real property and the Road to VDOT and/or the Commonwealth of Virginia upon completion of the Road, (iii) the execution and delivery by the County Administrator or the Chairman of the Board of such deeds and other instruments as may be necessary for the County to accept the real property interests described herein from the property owners whose real property will comprise the Road and to convey the same to VDOT or the Commonwealth pursuant to item (ii)

above for the purposes herein described.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

5. **Community Center Sign:** The Community Center Advisory Board is requesting permission to purchase and install a new sign for the Community Center entrance. They have received three (3) bids with an estimated cost of $3,910.00 for necessary masonry work and materials be provided by community service.

Mr. Kendrick wanted to know what the other bids were.

As a member of the Community Center Advisory Board, Mr. Carwile stated Ms. Dixon had done quite a bit of research on this and he feels like this is something we should have done. The present sign at the entrance road is not very adequate.

After some discussion regarding the fact that the present sign is not very visible, Mr. Carter made a motion seconded by Mr. Moore to approve the Community Center Advisory Board's request to replace the entrance sign at the Appomattox Community Center. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The next item for consideration is the **Consent Agenda: (items 6 - 13)**

6. **Approval of Bills:** Approval of Bills for April, 2001.

BOARD ACTIONS:

7. **Solid Waste Collector License:** Waste Management of Blue Ridge-Salem has submitted an application for a license to collect and dispose of garbage in Appomattox County. In addition to the license fee, they will have to pay a commercial haulers fee plus disposal fees.
8. **Bond Counsel Fee:** The fees associated with finalizing the literary loan financing and ensuring investments were in accordance with arbitrage regulations has been submitted by Sands, Anderson, Marks & Miller in the amount of $2,002.04. The Board needs to authorize payment of this invoice and requisition this amount from the financing proceeds.
9. **FCCLA:** The Board previously tabled a request for a donation from this organization from the high school until after the presentation by members of FCCLA at tonight's meeting. By approving the Consent Agenda the Board will deny this unbudgeted contribution at this time?

10. **Department of Social Services:** The Department of Social Services has submitted their Budget for FY 2002. The new budget year begins on June 1st and Mr. Carroll is requesting the Board authorize him to sign the DSS budget certification.

SUPPLEMENTAL APPROPRIATIONS:

11. **Country Haven Estates:** Please supplement line item 4104-3002 - Professional Services by $3,628.86 to reflect payment by VDOT to the County for that portion unused by VDOT on the Country Haven Estates project. This $3,628.86 will be refunded to Country Havens Estates.

12. **Refunds:** Please supplement line item 1101-5803 - Refunds by $75.00 for refunds for decals.
13. **Maintenance Service Contract:** Please supplement line item 1201-3005 - Maintenance Service Contract by $381.00 to reflect an increase in charges.

Mr. Carter informed the other Board members that he has spoken to Mr. Carroll regarding a couple of bills and Mr. Carroll is checking on these.

Mr. Moore made a motion seconded by Mr. Kendrick to accept and approve the Consent Agenda as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next discussed the **Informational Items: (items 14-20)**

14. **Appomattox County Extension:** The Extension Office has submitted it programing report from January 1 to December 31, 2000.
15. **Region 200 Regional Commission Minutes:** Minutes from the April 12th meeting are enclosed for Board members information.
16. **West Nile Virus:** the Health Department has provided information regarding the West Nile Virus and Mosquito Control. If more information of desired, a representative of the Health Department will be glad to speak to the Board.
17. **Town Council Agenda:** Agenda for May 14th meeting.
18. **Road Names:** The Road Naming Committee has submitted its suggested road names. Public Hearings are scheduled for Friday, June 1st from 3:00 P.M. to 7:00 P.M. and on Saturday June 2nd from 9:00 A.M. until Noon at the Appomattox Community Center. The Board is expected to vote on the road names at its June 4th meeting.
19. **Budget Information:** The FY2002 budget information will be available for public review and the Public Hearing is scheduled for June 4th at 6:00 P.M.
20. **Website Update:** Mr. Guild has updated the Appomattox.com website and has included some of his ideas concerning tourism.

The Board was reminded of upcoming meeting dates:

Friday - June 1st 3:00 P.M. to 7:00 P.M. - Road Naming Public Hearing at Community Center (Board does not need to attend)

Saturday - June 2nd 9:00 a.m. to noon - Road Naming Public Hearing at Community Center (Board does not need to attend)

Monday - June 4th at6:00 P.M. Regular Board of Supervisor's Meeting with Public Hearing on the proposed FY02 Budget at 6:00 P.M.

Friday - June 8th at 3:00 P.M. Formal Groundbreaking ceremony for the new elementary school.

At 6:30 P.M. having completed all items for the Board's action Mr. Moore made a motion seconded by Mr. Kendrick to recess until 7:00 P.M. for the Public Hearing with the Planning Commission. , followed by a Public Hearing on the Redistricting Ordinance. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Carwile and Mr. Moore, aye.

At 7:22 P.M., Mr. Kendrick declared the Board of Supervisors meeting back in session as they had one remaining item on the Agenda.

1. Redistricting: Since there was no opposition to the Redistricting Plan from the public hearing, Mr. Kendrick stated the Board should act on the Redistricting Plan as presented on May 7, 2001.

Mr. Carter stated that with the time and effort spent by the Redistricting Committee and the plan that was presented to the citizens of Appomattox County, he makes a motion that the Board adopt Plan 7 as so stipulated. Mr. Moore seconded the motion. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:24 P.M. Mr. Kendrick made a motion seconded by Mr. Hancock to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

On Monday, May 21, 2001, at 7:00 P.M. the Appomattox Board of Supervisors, the Appomattox Planning Commission and the Appomattox Town Council held a public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick - Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)
Al Sears - Chairman
Kevin O'Brien
Robert Johnson
Calvin Tanner
Claude A. Moore
Wayne Lewis
Jim Sefter
Jesse Hancock

ABSENT: (Planning Commission)
W. H. Carson
Elizabeth Edwards

PRESENT: (Town Council)
Ronnie J. Spiggle - Mayor
Jimmy Mayberry
Lewis McDearmon

Joyce Bennett
Steve Lawson

ABSENT: (Town Council)
Marvin Mitchell
W. H. Carson

ALSO PRESENT:
Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner
David Garrett - Town Manager

At 6:59 P.M. Mr. Kendrick opened the Public Hearing and made the following statement: This joint public hearing provides property owners with the opportunity to present their zoning petitions and give concerned citizens a change to speak in support of or against the petitions that are before the Appomattox Planning Commission and the Board of Supervisors. Please note that the Public Hearing is not the appropriate forum to engage in discussion of the petitions. Any questions or discussion will take place during the Planning Commission meeting following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments in support of the petition and finally individuals speaking against the petition. As you approach the microphone, please state your name and address for the record.

Mr. Kendrick then turned the Public Hearing over to Brandon Stidham, County Planner.

Mr. Stidham read **Petition #01-467 - Michael Lee:** Variance to §170-81(A) of the Appomattox County Zoning Ordinance pertaining to location of accessory building on lot. Property is located on Route 24 between Route 654 and Route 655, Tax Map #41(7)1, and is zoned A-1.

There was no one present to speak for or against this petition.

Mr. Stidham then read **Petition #01-468 - Pamela G. Robinson:** Conditional Use Permit to allow a two-family rental property per §74-177 of the Town of Appomattox Zoning Ordinance. Property is located at 207 N. Church Street between Highland Avenue and Atwood Street, Tax Map #64A5(12)BKB2, and is zoned R-1.

There was not one present to speak for or against this petition.

Mr. Stidham read **Petition #01-469 - Fred Jones and Jeffrey S. Scruggs:** Re-zone property from B-1 to M-1 with Conditional Use Permit for steel fabrication and welding shop per §170-51 of the Appomattox County Zoning Ordinance. Property is located on U.S. 460 West between Route 703 and Route 668, Tax Map #62(A)10A, and is zoned B-1.

Mrs. Vicky Regan of Route 1, Box 3183, Spout Spring, Va came forward and stated she came tonight knowing full well that you have made this M-1 but she could not go to sleep tonight until

she said this is a residential community and this is not in your backyard. She is also concerned about the noise. I already have in my backyard people shooting guns all the time.

Having no one else to speak and having no other petitions to be heard, Mr. Kendrick declared the Public Hearing closed at 7:03 P.M.

Jerry G. Kendrick, Chairman

At 7:16 p.m. on Monday, May 21, 2001 the Appomattox County Board of Supervisors held a public hearing on the Appomattox County Redistricting Plan.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner

Mr. Kendrick read a statement stating that the purpose of the public hearing was to provide interested persons with the opportunity to comment on the proposed 2001 Redistricting Plan presented to the Board of Supervisors on May 7, 2001.

Mr. Kendrick also stated that the public hearing was for comments only, no discussion will be permitted. Neither the Board of Supervisors or members of the Redistricting Committee will answer questions at this time. We will first hear comments from those persons who wish to speak in support of the plan; next we will hear from those opposing said plan. If you wish to comment, please state you name and address as you approach the microphone.

Mr. Milton Chambers, Route 1, Box 410, Appomattox, Va came forward. Mr. Chambers stated he is President of the Appomattox County Assembly, Inc. Mr. Chambers read the following letter:

May 21, 2001

Mr. Jerry G. Kendrick
Chairman, Appomattox Board of Supervisors

Dear Mr. Kendrick:

After much consideration and reviewing of the facts that a minority was elected to the Board of Supervisors out of the Falling River District with a minority make-up of 17.90% at the time elected, Plan 7 as purposed will raise that to 23%. Also, a minority was elected to the Appomattox School Board from the Piney Mountain District with a 29.43% and Plan 7 would slightly decrease that to 27%.

The Appomattox Assembly, Incorporated is in support of "Plan 7" as recommended to the Board of Supervisors by the redistricting committee on Monday, May 7, 2001.

Sincerely,

Milton L. Chambers
President

Mr. Chambers also stated he had talked with President of the NAACP what wished the Board to know that a letter of support would be forthcoming from Mr. Lloyd Cobb.

Mr. Evans Thomas came forward, gave his address as Route 4, Appomattox, Va. Mr. Thomas stated he was the Chairman of the Appomattox Republican Committee. He thinks it is wonderful that the Appomattox Assembly, NAACP and the Appomattox Republican Committee can all agree that this is a very good redistricting plan. It is bipartisan and has been since its inception. He also feels it represents a smallest percentage of change. People do not like change and tend to get upset when they have to change voting precincts. He commended the work of the committee members and urged support of the plan .

Mr. Kendrick asked if anyone else wished to speak in support of this plan.

Hearing none, he asked anyone in opposition to the proposed plan to come forward.

Mrs. Nina Beasley came forward stating her address as P. O. Box 192, Appomattox, Va. Mrs. Beasley stated she was not in opposition of the plan but she would like to know where she would be voting? In looking at the map, she feels it is a little confusing. She lives on Route 691. She has been told she will be in the Wreck Island District.

Mr. Kendrick informed Mrs. Beasley that they would be happy to address this questions following the public hearing.

Mr. Kendrick asked if anyone else wished to speak in opposition to the plan.

Hearing no further comments, Mr. Kendrick closed the public hearing at 7:21 p.m.

Jerry G. Kendrick, Chairman

On Monday, June 4, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held a public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA 24522.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator

At 6:05 P.M. Mr. Kendrick opened the Public Hearing and welcomed those in attendance. Mr. Kendrick stated the public hearing was to consider the Fiscal Year 2002 Budget. Any one who wished to speak for or against the Budget was to come forward, and give their name and address for the record. This is not the proper forum for discussion or any arguments regarding the Budget.

There were no comments regarding the proposed County Budget for FY2002.

At 6:07 Mr. Kendrick closed the Public Hearing.

Jerry Kendrick, Chairman

On Monday, June 4, 2001, the Appomattox County Board of Supervisors held it's regular scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va. 24522

PRESENT: Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator

At 6:08 P.M. Mr. Kendrick called the meeting to order and gave the invocation.

Mr. Kendrick stated the first item on the agenda is Ms. Erica Johnson and Ms. Jenna Woods with the Appomattox High School FCCLA. They were scheduled for 6:32 p.m and are not present at this time.

Since the meeting was running ahead of schedule, Mr. Kendrick moved to the second item on the Agenda - Courthouse Project.

Mr. Kendrick called Shann Arrington of Craddock-Cummingham Architectural Partners to come forward and give an update on the progress of the Courthouse Renovation Project.

Mr. Arrington stated that for the past few months they have been working with the Board and the Judges, etc., to develop a schematic design documents for floor plans for the Courthouse. They have submitted various schemes for review, comments and approval and they feel they have addressed all the comments and concerns of the County, judges, and clerks.

The next phase is design layout. Hopefully the complete design document will be ready by October 1st. 2001.

Mr. Kendrick asked if Craddock-Cunningham has received written approval of the schematic design from the judges. Mr. Arrington stated they had not received any written approvals from Judge Blanton. Mr. Kendrick feels they need the Judges' written approval before any actual work is approved.

After all approvals have been received, construction could begin in late November or early December, 2001.

Mr. Kendrick thanked Mr. Arrington for his informative presentation.

Mr. Kendrick then called Ms. Erica Johnson, Ms. Jenna Woods and Ms. Marcie Jones of the Appomattox High School FCCLA to address the Board.

Ms. Johnson and Ms. Woods stated this was a student run organization and gave their award winning "Experience The Excitement" presentation and also what this organization has accomplished throughout the year.

Several Board Members commented on the presentation and fielded some questions and comments to the presenters.

Mr. Kendrick thanked Ms. Johnson & Ms. Woods for their presentation.

Mr. Kendrick presented the next item: **Supervisor's Concern:**
Mr. Carwile had a question regarding meeting at Longwood College on June 16th. Is anyone planning to attend? The Board Members stated they were not planning to attend.

Mr. Kendrick called for action on **ADMINISTRATIVE ITEMS: (1-5)**

1. **Road Names:** Public Hearings were held on June 1st and June 2nd at the Community Center for the purpose of receiving comments on the suggested Road Names for the County's E911 System. Each Board member received a packet containing the proposed names (those road names that received comments are highlighted in blue). The Board may send back to the

Road Naming Committee any name that may be of concern or that citizens are not in agreement with. The Board can adopt any County road names not sent back to the committee at this time.

Mr. Carter requested that Rt. 1002 between Rt. 727 and Rt. 635 and currently known as Evergreen Avenue, be tabled until a later date.

Mr. Kendrick had some concern regarding the numbering system. Hopefully, every time a new house is built on a road, all the numbers will not be changed.

Mr. Carroll explained that this would be taken into consideration when the GIS process is done by the consultants, (done by linear feet).

Mr. Carwile questioned what would be accomplished by approving a part of this list and not waiting until all questionable names have been resolved.

After a lengthy discussion Mr. Moore made a statement that the longer the wait on approving the names not contested, the more likelihood that others may decide they want another road changed. Where does the changing process end?

Mr. Carter made a motion seconded by Mr. Carwile to table the roads highlighted on the Master List of Road Names and to include Route 685 and Evergreen Avenue and to present these to the Road Naming Committee for renaming and consideration at the next public hearing to be held on June 25th, 2001. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick made a motion seconded by Mr. Moore to adopt the names as suggested by the Road Naming Selection Committee that have not been tabled. Also a moratorium is hereby placed on changing these names until 24 months after the date that the County-wide Enhanced 9-1-1 system becomes fully operational. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. **Planning Commission Recommendations: Petition #01-469 - Fred Jones and Jeffrey S. Scruggs:** Rezone property from B-1 to M-1 with Conditional Use Permit for steel fabrication and welding shop per §170-51 of the Appomattox County Zoning Ordinance. Property is located on U. S. 460 West between Route 703 and Route 668, Tax Map #62(A)10A, and is zoned B-1.

Mr. Moore made a motion seconded by Mr. Carwile to approve for reason of public necessity, convenience, general welfare, and good zoning practice, Petition #01-469 of Fred Jones and Jeffrey S. Scruggs to re-zone a parcel of land located at Tax Map #62(A)10A from B-1 to M-1.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Region 2000 Regional Commission Steering Committee:** The Commission is forming a

steering committee to review Pedestrian/Alternate Transportation needs for the region. They are requesting the Board to appoint a citizen interested in trails to serve along with Brandon Stidham and Anne Dixon on this Committee.

Mr. Carter believes this is a very important committee and he has a couple of names to submit but he has not as yet contacted the individuals. If no one else has any suggestions, he would like to have this item tabled until the next meeting on June 18th, 2001. The Board decided to table this until the next meeting.

4. **Road Viewers:** Please consider the appointment of Elantha "Jimmy" Drinkard, Claude Allen Moore and Lynette Page as the road viewers for the upcoming year. These three served in this capacity last year and have agreed to serve again this year.

On a motion by Mr. Moore seconded by Mr. Carwile, Elantha "Jimmy" Drinkard, Claude Allen Moore and Lynette Page be appointed as Road Viewers for the upcoming year. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

5. **CSA Coordinator:** The Community Policy & Management Team that is responsible for administering the Comprehensive Services Act for the County has requested that the Board approve the resolution allowing the CPMT to contract with the Campbell County CPMT to provide Coordinator services. The Board approved a similar arrangement last year. Mr. Carroll is requesting the Board pass this resolution.

After some discussion, Mr. Carter made a motion seconded by Mr. Moore to accept the following resolution:

RESOLUTION

WHEREAS, the Appomattox County Community Policy and Management Team wishes to contract with the Campbell County Community Policy and Management Team for certain services as specified in the contract, which is incorporated herein by reference;

WHEREAS, The Campbell County Community Policy and Management Team is willing to provide those services as specified in the referenced contact;

BE IT THEREFORE RESOLVED, that the Appomattox County Board of Supervisors authorizes the Appomattox County Community Policy and Management Team to enter into the referenced contract with the Campbell County Community Policy and Management Team. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The next item for consideration is the **Consent Agenda: (Items 6-18)**

6. **Approval of Minutes:** The minutes of the April 23rd, Budget Work Session; the April 30th Visioning Session; the May 7th, regular meeting; the May 12th Budget Work Session; the May 15th, Business Appreciation Luncheon; the May 21st regular meeting; the May 21st Public Hearing; and the May 21st Redistricting Public Hearing were approved as presented.

7. **Approval of Bills:** Approved bills for the month.

BOARD ACTIONS:

8. **Transfer of Funds from IDA Bond Account:** Transfer of $170,407.14 to the general revenue fund from the IDA bond account to reflect fees associated with the High School roof replacement that are allowable charges to the IDA bond.

9. **Craddock-Cunningham Architectural Partners:** Appropriate $7,432.36 from 4302-7009 - Capital Outlay for payment for architectural work in connection with Courthouse Project.

10. **Registrar:** Approve the Registrars request for $175.00 to attend training session in Richmond. This expense will be incurred in the next fiscal year. Money not included in FY02 budget.

11. **Law Library:** Approve Law Library Request for $26.20.

12. **Stonewall Vineyards Festival Permit:** Stonewall Vineyards has submitted an application and fee to hold festivals on June 6th and June 23rd. Also requesting bond requirement be waived. Approval of Consent Agenda will approve both the application and bond waiver requirement for both events.

SUPPLEMENTAL APPROPRIATIONS:

13. **Sun Trust Quarterly Payment:** Appropriate $85,312.50 to line item 1101-8003 IDA Note - 2000 to make second quarterly payment on the A.E.S. note. Approval of request also authorized the requisition of funds from the SNAP account.

14. **Sheriffs Department:** Approve the following :
    a. 3102-5408 - Vehicle Power Equipment Supplies - add $640.57
    b. 3301-3001 - Professional Health Services - add $23,000.00

15. **Refunds:** appropriate additional $99.50 to 1101-5803 - Refunds.

LINE ITEM TRANSFERS:

16. **Planning Department:** Please transfer $150.00 from 8111-3007 Advertising to 8111-5201 - Postage.

17. **Treasurer:** Transfer $540.00 from 1213-1003 Part-time Salaries to 1213-5501 - Meetings/Mileage for conference expense. To be reimbursed by Compensation Board.

18. **Lyn-CAG:** The Memorandum of Understanding with Lyn-CAG and the County pertaining to the Rental Assistance Program has been executed with services beginning on June 4th. Lyn-CAG has requested permission to run other programs from this office. These programs would be appropriate and beneficial to our county residents.

Mr. Moore made a motion seconded by Mr. Hancock to accept the Consent Agenda (Items 6-18) as written and presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock aye; Mr. Carwile, aye; and Mr. Moore, aye.

There were several **INFORMATIONAL ITEMS (Items 19-24)** presented for consideration:

19. **Administrator's Report:**

Redistricting: The redistricting plan has been submitted to the Department of Justice, The State Board of Elections and the Division of Legislative Services. Sands, Anderson has requested that the Department of Justice review and expedite the plan in case a primary election was necessary.

E911: The road naming process is concluding with the next few weeks. The $3.00 -E911 tax has now been implemented by the phone companies and will be available to fund portions of this project.

Mr. Kendrick asked if the E911 System would be a GPS system. Mr. Carroll stated he did not think so: however, Mr. Carroll feels the system will be able to field cell phone calls.

Landfill Cell "I": According to Hurt and Proffitt estimates there is still 51 months of remaining life in the current cell. This shows two things; 1) The baler has allowed for greater compaction of the waste and 2) the landfill staff has increased efficiency and effectiveness in using the new method to create a great deal of the space savings.

Several board members stated their concerns and congratulated the landfill employees on the good job they had been doing. It would be a lot better if the citizens would recycle cardboard, newspapers, etc. and not put it in the dumpsters.

Animal Control: Mr. Carroll and Mr. Martin have met with representatives from the Humane Society of the United States and the Virginia Federation of Human Societies regarding some suggestions they have on our current animal control ordinances and operations. They will continue to work with these associations as well as A.W.A.G. to consider ways that the ordinances and operations could be improved in a practical manner that helps promote public health and safety.

20. **Agenda - Joint Meeting with Town of Appomattox:** The Agenda for the joint meeting on Tuesday, June 12th at 7:00 P.M. is attached.

21. **Transportation Planning Meeting:** The Annual Transportation Planning Meeting will be held on Monday, June 9th 2001 at 9:30 A.M. at the Ramada Inn and Conference Center on US 26 at Odd Fellows Road, Lynchburg, Va.

22. **VACo Legislative Program:** VACo is preparing their annual legislative program and is

requesting input/comments from localities. The Board may wish to forward specific items to VACo for consideration. The Board may also wish to consider adopting its own legislative program to forward to our delegate and senator. If agreeable, this will be placed on the June 18th agenda for discussion.

Mr. Carwile wanted to know if we had received any word as to when the Concord Fire Department would have it ground breaking ceremony. Mr. Carter will try to find out.

Mr. Carter had some questions regarding the 50-40-10 Income Tax distribution plan. Would Appomattox gain from this program?

Mr. Kendrick reminded the other Board members of the upcoming meeting dates: Friday, June 8th 2001, at 3:00 P.M. Ground Breaking ceremony for new A.E.S. project; Tuesday, June 12th 2001 at 7:30 P.M. Joint Meeting with Town Council; Monday, June 18th 2001 at 6:00 p.m. regular Board meeting with Planning Commission Public Hearing.

Mr. Carroll informed the Board Members planning to attend the A.E.S. Groundbreaking ceremony to meet at the School Board Office by 2:30 P.M. to be transported to the site.

Mr. Carter made a motion seconded by Mr. Kendrick to recess to the Groundbreaking Ceremony for the A.E.S. on Friday, June 8th. 2001 at 2:30 p.m. . VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye. Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

The Appomattox County Board of Supervisors held a recess meeting on Friday, June 8th, 2001 at 3:00 P.M. for Groundbreaking at the Appomattox County Elementary School project.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: Jesse Hancock - Falling River District

ALSO PRESENT:
John K. Spencer, Assistant County Administrator

The purpose of this meeting was to celebrate the groundbreaking for the new Appomattox Elementary School. Since no business was planned the meeting was not opened.

Jerry G. Kendrick, Chairman

On June 12th, 2001 at 7:00 P.M., the Appomattox County Board of Supervisors and the Appomattox Town Council held a joint meeting at the Appomattox Town Hall.

PRESENT: Samuel Carter - Courthouse District

ABSENT: Jerry G. Kendrick, Chairman - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll, County Administrator

Due to individual circumstances that unexpectedly affected the attendance of several Board Members, the Board did not achieve a quorum and therefore could not meet with the Town Council of Appomattox.

On Monday, June 18, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held it regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
John Spencer - Assistant County Administrator
Brandon Stidham - County Planner

Mr. Kendrick called the meeting to order at 6:06 P.M. with Mr. Hancock giving the invocation.

Mr. Kendrick stated Ms. Sandra Lindsay, Resident Engineer, Virginia Department of Transportation, wished to address the Board.

Mr. Kendrick called Ms. Lindsay to come forward. Ms. Lindsay stated that she would be retiring

effective July 1, 2001. She stated she had always found the Board members to be well qualified and easy to work with. She had particularly enjoyed working with the present Board.

She stated that her position had been advertised and interviews would be held soon. She suggested that the Board write a letter to Tom Rainey, District Administrator in Lynchburg recommending Don Austin for the position of Resident Engineer in Appomattox County, as she feels he is very competent and knowledgeable and does have the welfare of the district at heart.

She also invited the Board to a small retirement reception that the office was planning to hold in her honor on July 12th.

Several members commented on what a rewarding experience it has been to work with Ms. Lindsay over the past several years.

Mr. Kendrick then called for **Supervisor's Concerns**:
Mr. Carwile again brought up the concept of Central Purchasing. He feels the Board should think about this.

Mr. Kendrick agrees with the concept but he feels this issue should be reviewed regarding: State Contracts, VACo, etc. Would we need one person to do all the purchasing for the entire County or would each department be allowed to do their own. How would this work? He suggested that we try to have something more positive by the next meeting.

Mr. Carwile also would like to have a some information on a way to reduce the tax rate. A different way of collecting taxes and the possibility of putting these taxes into an escrow account.

There was some discussion on this issue. Need to talk with Treasurer as to the way these funds are invested.

Mr. Kendrick brought up the fact that several people will be on vacation during the first week of July. He suggested that the meeting scheduled for July 2nd be canceled and meet only on the 16th of July.

The Board by consensus decided to write a letter recommending that Don Austin be considered for the Resident Engineer position at the Appomattox Residency Office. Mr. Carroll will draft this letter.

Administrative Items: (Items 1-5)

1. **Adopt FY 2002 Budget:** After discussion on a couple of items in the Budget, Mr. Kendrick made a motion seconded by Mr. Moore to adopt the FY2002 Budget and Appropriations Resolution. (See Board File for June, 2001)

2. **Region 2000 Regional Commission Steering Committee:** The Commission is forming a steering committee to review Pedestrian/Alternate Transportation need for the Region. They are requesting the Board appoint a citizen interested in trails to serve with Mr. Stidham

and Mrs. Dixon on this committee. This item had been tabled at the last meeting.

Mr. Carter suggested that Mr. & Mrs. Johnny Canada be appointed to this committee as they have expressed an interested in this area.

Mr. Kendrick asked if there were any other recommendations. Hearing none, Mr. Carter made a motion seconded by Mr. Kendrick to appoint Mr. & Mrs. Johnny Canada to serve on the Region 2000 Regional Commission Steering Committee. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **CPMT Appointment:** The Community Policy Management Team (CPMT) is requesting that the Board appoint Mr. Daniel Stratton to this committee as the parent representative. Mr. Stratton has agreed to serve in this capacity.

Mr. Moore made a motion seconded by Mr. Carwile to appoint Mr. Daniel Stratton to serve as the parent representative on the Community Policy Management Team. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. **Legislative Program:** The Board at its last meeting discussed submitting items for VACo to include in its legislative agenda and also the possibility of adopting its own legislative agenda to be forwarded to our senators and delegates. Does the Board wish to discuss this at this time?

Mr. Carter thanked Mr. Carroll for the information presented on the 50-40-10 plan. As he understands this, it could be a new stream of revenue for the County.

Mr. Kendrick would like to see a more equal way of taxation and a fairer tax collection process. He feels the present process as an inappropriate method of taxation. Landowners and property (house) owners are getting taxed at a higher rate than those who don't own land or houses. He did not see any fairer process of collecting monies in this plan. If the 50-40-10 plan would yield a greater amount of money and also take some the tax burden away, he would be all for it. He still does not think the real issue is being addressed, that being a fairer way of collecting monies.

Mr. Carter agrees with what Mr. Kendrick has said and feels that we, as a county, need to take measure to increase or enhance the tax base through other means, such as tourism and the industrial park.

There was a lengthy discussion regarding state mandates without additional funds thereby causing us to raise taxes in order to meet these mandates. We need to make some recommendations to our delegates as to how to accomplish this. Mr. Carroll will look into the Tax Commissioners Study.

At 6:55 P.M. Mr. Kendrick made a motion seconded by Mr. Carter to recess until after the public hearing.

At 7:25 P.M. Mr. Kendrick reopened the Board of Supervisors meeting.

Jesse Hancock and Brandon Stidham attending the Planning Commission Meeting.

5. **Craddock-Cunningham:** Craddock-Cunningham Architectural Partnership has submitted a proposal for fees to perform certain add/alternates to the Courthouse renovation that fall outside the original scope of Service.
   A. Complete design and construction documents for Circuit Court Clerk space on Level 3 - as a renovation for the proposed unfinished space: Total Lump Sum: $25,000 ($20,00 design/Documents, $5,000 C-A).
   B. Complete design and construction documents for archived record rooms for J&DR, General District; and Circuit Court Clerk's Office: Total Lump Sum $10,000 ($8,000 Design/Documents, $2,000 C-A)
   C. Removal of north wing and north entry vestibule of the Historic Jail building (including demolition planning documents, facade design and elevation documents of the refurbished exterior and mechanical/utility schematics, as required.) Total Lump Sum: $2,000 ($1,600 Design/Documents, $400 C-A)

Mr. Carter questioned if this was in addition to the $2.6 million cap.

Mr. Kendrick stated this is above and beyond this cap. The $2.6 million is basically for the design and construction of the Courthouse. The roughing in and utilities for the 3rd floor for the Clerk's Office was not included in the original plan. What they are saying there is an additional $25,000 charge for the 3rd floor design. In addition, the design for a fireproof records section for all three courts will cost an additional $10,000 and removal of the wing on the Historical Jail will be another $2,000.

All these fees are in addition to the original $2.6 million cap.

There was some discussion on the above mentioned proposals.

Mr. Moore made a motion seconded by Mr. Carwile not to accept the add/alternates proposal presented by Craddock-Cunningham. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Moore, aye and Mr. Carwile, aye: Mr. Hancock was in Planning Commission.

Mr. Kendrick next presented the Consent Agenda for consideration.

CONSENT AGENDA: (Items 6-12)

6. **Approval of Bills:** Mr. Carter questioned the amount of postage spent.
7. **Courthouse Project:** Proposals from Hurt & Proffitt to do geotechnical work and asbestos survey on the Courthouse Renovation. Both are necessary and are the County's responsibility.
8. **Redistricting:** The Agreement with Timmons for consulting work needs to be amended. The additional scope of work was requested by the committee in order to fully evaluate criteria reviewed by the Department of Justice. Additional cost of $905.00 for a total cost of $4,145.00.

9. **School Textbook Rental Fund:** Appropriation of $150,000 from the Textbook Fund as requested by the School Board.

10. **Stonewall Festival Permit:** Stonewall Vineyards has made application and fee payment for festivals to be held on July 7th and July 21st. They are requesting that the Bond requirements be waived as in the past.

LINE ITEM TRANSFERS:

11. A. **General Properties:** Line item transfer of $5,075.00 from 4302-3002 Professional Services to 4302-7001 Equipment for replacement of air conditioning units at Recreational Center and Courthouse. A portion of this cost will be reimbursed from insurance coverage.

B. **Commonwealth Attorney:** Line item transfer of $1,700.00 from 2201-1003 part-time salaries to 2201-7001 Equipment.

SUPPLEMENTAL APPROPRIATIONS:

12. A. **Refunds:** Supplemental Appropriation to 1101-5803 - Refunds by $471.00 for decals and taxes.

B. **Library:** Supplemental Appropriation to 7301-5401 - Office Supplies by $291.60
8301-5411 - Books by $52.84

C. **E911 System Mailing of Road Names notices, etc.**

3606-3002 - Professional Services	$190.30
3606-5201 - Postage	$707.48
3606-3007 - Advertising	$ 46.90

From the E-911 Fund.

Mr. Carroll stated that Item 12-B will be supplemented to FY02 Budget.

Mr. Carwile had some questions regarding the additional changes to the Redistricting Contract.

There was a lengthy discussion regarding the Courthouse Project - Item 7.

Mr. Kendrick made a motion seconded by Mr. Carwile to approve the Consent Agenda as presented with the exclusion of Item #7 - Courthouse Project. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock in Planning Commission meeting.

Mr. Kendrick then presented the informational items and upcoming meetings.

INFORMATIONAL ITEMS:

13. **Business Development Center:** The Business Development Center has sent us an update on their activities for the months of April and May 2001.

14. **U. S. Soccer Foundation:** We have received a notice from the U. S. Soccer Foundation stating that the grant submitted for funds for the Community Park was not selected to receive funding.

15. **Route 60 Bridge Replacement:** VDOT is considering improvement of Route 60 Bridge at

Davids Creek. If a public hearing is desired, a request will need to be made to the resident engineer.

Upcoming Meetings:
Monday, July 2, 2001 at 6:00 - Regular Board Meeting.

Mr. Kendrick made a motion seconded by Mr. Carter that the Board of Supervisors hold only one (1) meeting during the month of July and that meeting be held on Monday, July 16, 2001 at 6:00 P.M. at the Appomattox County Courthouse. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock in Planning Commission meeting.

Mr. Carroll was instructed to advertise the change of the monthly meeting in the local newspaper.

At 7:50 p.m. on a motion by Mr. Moore seconded by Mr. Carter the meeting was adjourned. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock still in Planning Commission Meeting.

Jerry G. Kendrick, Chairman

On Monday, June 18, 2001, at 7:00 P.M., the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)
Kevin O'Brien
Claude A. Moore
Jesse Hancock
Jim Sefter
Calvin Tanner
Wayne Lewis
Robert Johnson
W. H. (Buddy) Carson

ABSENT: (Planning Commission)
Al Sears

Elizabeth Edwards

ALSO PRESENT:

Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner

At 7:02 P.M. Mr. Kendrick opened the Public Hearing and stated to those in attendance that the Public Hearing was not the proper place for asking questions or engaging in discussion on the petitions presented. Those persons wishing to speak for or against a petition would be permitted to come forward and address the Board. Any questions or discussion would take place during the Planning Commission meeting. Mr. Kendrick then turned the meeting over to Mr. Brandon Stidham, County Planner.

Mr. Stidham read the first petition.

01-471 - Ronnie Bryant: Conditional Use Permit to allow public hunting preserve per §170-34(A)(32) of the Appomattox County Zoning Ordinance. Property is located on Route 615 between Route 686 and Route 616, Tax Map #s 19(A)50, and 19(A)50A, and is zoned A-1.

Mr. Stidham called for comments for the petition.

Mr. Ronnie D. Bryant of Appomattox, VA came forward and stated his property is located approximately 1 ½ miles off Route 615 containing approximately 125 acres which he would like to turn into a hunting preserve.

Mr. Stidham called for other comments for the petition. Hearing none, he called for comments against the petition.

Mr. Fred Underwood of Route 3, Box 249, Appomattox came forward. Mr. Underwood is not sure if he is for or against the petition, but he is concerned with the development of their neighborhood. He believes a person should be allowed to do whatever they wanted to with their land so long as it does not adversely effect the neighbors. Mr. Bryant has been a good neighbor. He has had a lot of adverse relationships with hunters and he is concerned about bringing people from outside to hunt in this neighborhood.

Mr. Stidham called for further comments on this petition.

Mr. Stidham then read the next petition.

01-472 - Robert & Gail Bruhnsen: Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 679 between Route 648 and Route 647, Tax Map #96(A)8, and is zoned A-1.

Mr. Stidham called for comments favoring this petition.

Robert Bruhnsen of Route 679, Appomattox stated his mother who lives in Florida has reached retirement age and she wants to move here to be close to him. He plans to place a 14' x 70' mobile home on his lot for her to live in and he does not feel this will effect anyone.

Mr. Stidham called for comments against this petition. Hearing no further comments, Mr. Stidham read the next petition:

01-473 - Clayton C. Bryant and Thomas M. Page: Re-zone property from B-1 to M-1 with Conditional Use Permit for welding fabrication shop per §170-51 of the Appomattox County Zoning Ordinance. Property is located on Route 609 between Route 460 West and Route 608, Tax Map #60(8)7, and is zoned B-1.

Mr. Stidham called for comments for this petition.

Mr. Thomas Page stated he would be happy to answer any questions regarding this petition.

Mr. Stidham called for comments against this petition. Hearing no further comments, Mr. Stidham read the next petition.

01-474 - Clayton C. Bryant: Conditional Use Permit to allow parking area for existing auto sales business per §170-47(A)(30) of the Appomattox County Zoning Ordinance. Property is located on U. S. 460 East between Route 674 and the Appomattox Town Limits, Tax Map #63(2)2, and is zoned B-1.

Mr. Stidham called for comments for this petition.

Mike Dalton with Clayton Bryant Land Company came forward and stated they would like to have a auto sales across the street from their current location.

Mr. Stidham called for other comments for this petition.

Mr. Stidham called for comments against this petition. Hearing none, Mr. Stidham read the next petition.

01-475 - Frank C. and Carol A. Donato: Conditional Use Permit to allow tattoo and body piercing shop per §170-47 of the Appomattox County Zoning Ordinance. Property is located on U. S. Route 460 West between Route 647 and Rout 667, Tax Map #73(A)23A, and is zoned B-1.

Mr. Stidham called for comments in favor of this petition.

Ms. Judy Radcliffe, Route 1, Box 70, Pamplin, Va. stated she did not know if she was for or against this petition. Her daughter is friends with Mr. Maye. She had heard some bad things but she has stopped by several times and she has not seen anything out of the way and he conducts everything in a professional way. She would personally never have a tatoo, but she feels anyone should be allowed to practice their "art".

Mrs. Carol Donato of Appomattox came forward and stated that Mr. Maye was a very good tenant, has no alcoholic beverages on the premises and he runs a clean shop. She did not for see any problems.

Mr. Tony Maye came forward and stated he did not foresee any problems with the operation of this business and has not had any complaints thus far.

Mr. Stidham called for any further comments for or against this petition.

Hearing none, Mr. Stidham read the next petition.

01-476 - Joseph P. & Emily J. Sayers - Conditional Use Permit to expand scope of bed and breakfast to include additional bedrooms/guests, public meeting and assembly facilities, and on-site catering per §170-34 of the Appomattox Zoning Ordinance. Property is located on Route 613 between Route 647 and Route 608, Tax Map #37(A)9, and is zoned A-1.

Mr. Stidham called for comments regarding this petition.

Mr. Evans Thomas came forward and stated he was speaking for Mr. & Mrs. Sayers as their attorney. Mr. Thomas distributed pictures of the property when purchased and since the renovations have been done. They were asking to expand the scope of their bed and breakfast. The current zoning and building permit allows them to have only five (5) overnight guests and they would like to increase that to a maximum of 15 bedrooms and thirty (30) overnight guests. Additionally, they are seeking on-site catering services and assembly uses for weddings, meetings, conferences (both indoor and outdoor) as well as picnics. All events would be between the hours of 10 A.M. and 12:00 midnight. There is adequate parking on the property, VDOT has approved the entrances and all this fits in well with the rural setting. Behind the property is a hill approximately 30 feet in height thus creating a barrier with any neighboring properties. There are no neighbors to the front of the property. The Sayers are currently working with the building official to come into compliance with building and fire code requirements. The Sayers has put much love and attention into renovating this property and feel this use will have a positive impact on tourism as well as the surrounding property.

Mr. Stidham called for comments for and against this petition. Hearing no further comments, and there being no further petitions, Mr. Stidham turned the hearing over to Mr. Kendrick, Chairman of the Board of Supervisors.

The public hearing was closed at 7:23 P.M.

Jerry G. Kendrick, Chairman

At 6:00 P.M. on Monday, July 16, 2001, the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 6:00 P.M. Mr. Kendrick called the meeting to order and asked Mr. Carter to give the invocation.

Mr. Kendrick called to Dan Gecker to appear before the Board and discuss Historic Tax Credits.

Mr. Gecker stated he was an attorney with Kutak Rock, LLC in Richmond where he specializes in Historic Tax Credits. He has spoken with Mr. Carwile in the past and appreciates the opportunity to appear before the Board and talk about what they do and what the programs are that might be of benefit to the County. At a meeting prior to this with Mr. Carroll, he indicated that the County was in the process of instituting some historic districts and obviously a condition to use of the State Historic Credits which we will talk about is that the property be located within a historic district or individually listed on the Register of State or National historic places. With that having been said, there are two (2) programs that deal with historic properties or the rehabilitation of historic properties. They are both tax incentives, one provided by the Federal Government that has been around since 1976 although it peaked in use in 1986 just before the Tax Act change and it is now climbing back up after a deep decline as developers and corporations are seeking new areas to go into and in 1997 the State of Virginia enacted a state level tax credit. We will talk briefly about the two programs and how they may be of use here, either for private projects (economic development for the County) or what essentially mean public projects (such as schools, or other public building going back to public use).

A quick summary of the Federal program is that essentially every dollar a developer or entity spends on a qualified structure to rehabilitate it, the Federal Government will give a 20% Tax Credit. (A million dollar expenditure will receive a tax credit of $200,000). The Federal Credit is not usable with public or public rehabilitation but it is very useable with private rehabilitation. Federal credits are marketable and there is an active market, with the going price around 90 cents on the dollar. The Amazement Square in Lynchburg was done with both Federal and State Credits. Also projects in Petersburg and Roanoke had been financed with Tax Credits. It is becoming more and more commonplace.

The State Tax Credit program was enacted in 1997 and it provides a 25% credit on every qualified dollar. (Using the same one million dollar example you get $250,000 in credits.) State Tax Credits

are lower than Federal Credits because there is a tax interplay between the State & Federal systems

which causes the State credits to be less valuable.

Mr. Gecker provided each Board member with a handout explaining some of the principles involved in these tax credits.

There are basically three (3) qualifications for Tax Credits:

1. Structure is on the Historic Register
2. Historic District or contributing character to the district
3. Have the Director of the Department of Historic Resources declare the building to be eligible without going through the nomination process.

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Building does not have to be on the register at the time the rehabilitation starts.

After a brief questions and answer session, Mr. Kendrick thanked and excused Mr. Gecker.

Mr. Kendrick called for **Supervisor's Concerns:**
Mr. Carter stated that he felt it was time to start looking at possible usages for the old elementary school, such as forming a committee to start putting this together.

Mr. Kendrick next called for the **Administrative Items: (items 1 - 4)**

1. **Road Names:** The final packet on road names has been submitted and the Board needs to act on accepting the primary road name or if it prefers, accept the alternate road name. At this time we will go over the list and if there is an exception, we can bring up the exception if not, the primary name stands. If you have an alternate choice, we need to bring this up in the form of a motion to bring it in as a primary. Once we have all the primaries in place, we will vote on these.

Mr. Carwile stated he felt in order to move things along and not get into a discussion about the road names and put the Board in a position as individual members, he would like to offer to the Board that they accept the recommendations made by the road naming committee based on input from citizens.

Mr. Carwile made a motion seconded by Mr. Carter that the Board accept the primary road names as submitted by the Road Naming Committee. Also a moratorium is hereby placed on changing these names until 24 months after the date that the County-wide Enhanced 9-11- system becomes fully operational.

Mr. Kendrick did not agree with the name chosen for Route 614. He did not like the fact that this road would be named after a deserter in the Civil War.

Mr. Kendrick called for discussion from the other Board members. Hearing none he called for a vote on the motion to accept the names as presented by the road naming committee. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

Mr. Kendrick then stated the Board needed to accept the final group of names of roads that the committee had listed with names that had received comments at the last public hearing and recommended alternate names. Mr. Kendrick made a motion seconded by Mr. Carter that Board adopt the names of the remaining roads as suggested by the committee. A Moratorium is hereby placed on changing these names until 24 months after the date that the County-wide Enhanced 9-1-1 system becomes fully operational. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

Mr. Kendrick stated that it was necessary to enter into a closed session in accordance with §2.1-344(A).3 for the purpose of discussing the acquisition and disposal of real property.

At 6:30 P.M. Mr. Moore made a motion seconded by Mr. Hancock that the Appomattox County Board of Supervisors enter into a closed session to discuss the acquisition and disposal of real property. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

On a motion the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2..1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

Mr. Kendrick made a motion seconded by Mr. Carter that the Board recess until after the Public Hearing scheduled at 7:00 P.M. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick reopened the Board of Supervisors meeting at 7:02 P.M. and continued with Administrative Items.

2. **Meeting with Town of Appomattox:** Since the Board was unable to achieve a quorum at the last scheduled meeting, the Town has proposed to meet on either August 21st or August 24th.

By consensus, the Board agreed to meet with the Town of Appomattox on Thursday, August 23rd

at 6:30 p.m. at the Town office.

3. **Planning Commission Recommendations:** The Planning Commission has recommended that the following petitions, heard at the June 18, 2001 public hearing, be approved.

01-473 - Clayton C. Bryant and Thomas M. Page: Re-zone property from B-1 to M-1 with Conditional Use Permit for welding fabrication shop per §170-51 of the Appomattox County Zoning Ordinance. Property is located on Route 609 between Route 460 West and Route 608, Tax Map #60(8)7, and is zoned B-1.

Mr. Kendrick made a motion that for reasons of public necessity, convenience, general welfare, and good zoning practices, the Appomattox County Board of Supervisors approve the petition of Clayton C. Bryant and Thomas M. page, to re-zone a parcel of land located at Tax Map #60(8)7 from B-1 to M-1. Motion seconded by Mr. Moore. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

On a motion by Mr. Kendrick seconded by Mr. Hancock the following petitions were approved as recommended by the Planning Commission.

01-471 - Ronnie Bryant: Conditional Use Permit to allow public hunting preserve per §170-34(A)(32) of the Appomattox County Zoning Ordinance. Property is located on Route 615 between Route 686 and Route 616, Tax Map #s 19(A)50, and 19(A)50A, and is zoned A-1.

01-472 - Robert & Gail Bruhnsen: Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 679 between Route 648 and Route 647, Tax Map #96(A)8, and is zoned A-1.

01-474 - Clayton C. Bryant: Conditional Use Permit to allow parking area for existing auto sales business per §170-47(A)(30) of the Appomattox County Zoning Ordinance. Property is located on U. S. 460 East between Route 674 and the Appomattox Town Limits, Tax Map #63(2)2, and is zoned B-1.

01-475 - Frank C. and Carol A. Donato: Conditional Use Permit to allow tattoo and body piercing shop per §170-47 of the Appomattox County Zoning Ordinance. Property is located on U. S. Route 460 West between Route 647 and Rout 667, Tax Map #73(A)23A, and is zoned B-1.

01-476 - Joseph P. & Emily J. Sayers - Conditional Use Permit to expand scope of bed and breakfast to include additional bedrooms/guests, public meeting and assembly facilities, and on-site catering per §170-34 of the Appomattox Zoning Ordinance. Property is located on Route 613 between Route 647 and Route 608, Tax Map #37(A)9, and is zoned A-1.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. **Employee Assistance of Central Virginia:** Mr. Carroll is requesting that the Board authorize him to execute the contract with EACV. This was discussed during the Budget process.

Mr. Carter stated this is a very good program for helping the employees. It is in place at his place of employment and he fully endorses this program for the County.

Mr. Moore made a motion seconded by Mr. Hancock to accept the Employee Assistance of Central Virginia program and that Mr. Carroll be allowed to execute this contract. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The next item to be considered was **Consent Agenda: (items 5-15)**

5. **Approval of Minutes:** Minutes of Public Hearing of June 4, 2001; Regular Meeting of June 4, 2001; Recessed Meeting of June 8, 2001; Joint Meeting with Town of Appomattox of June 12, 2001; Regular Meeting of June 18, 2001 and Public Hearing of June 18, 2001.

6. **Approval of Bills:** Authorize payment of bills for the Month.

BOARD APPROPRIATIONS:

7. **IDA Bond:** Appropriate $67,740.00 from IDA bond to general revenue fund to cover expense charges as follows: Pamplin Fire Building $40,000.00 and Sheriff's Vehicles, $27,740.00.

8. **Commissioner of Revenue:** Appropriate $307.00 from 1101-5504 - Travel for the Commissioner of Revenue to attend Local Government Officials Conference.

9. **Carry Over Funds:** Approve Carry Over funds which reflect separate account balances and/or grant funds not spent in fiscal year 2001.

A.	Comprehensive Services	$25,870.41
	Law Library	$ 1,984.03
	Ballpark (Town Ballpark)	$ 1,212.69
	Capital Improvement	$2,082,255.14
	Courthouse Maintenance	$27,939.71
B.	3100-1002 Law Enforcement Block Grant	
	Salaries & Wages	$4,144.17
	3100-2001 Law Enforcement Block Grant	
	FICA	$350.87
	3101-1004 DMV Grant - Overtime	$3,482.09
	3101-2001 DMV Grant - FICA	$318.99
C.	7301-3002 Professional Services	$15,570.00
	7301-7001 Equipment	$4,331.54

10. **School Board:** Appropriations for the following:
    A. Athletic Fund - $410.20
    B. 6101-3005 - New Elementary School Project - $2,241,113.60

SUPPLEMENTAL APPROPRIATIONS:

11. A. **Compensation Board Part-time Salaries:** Increase in part-time salaries for

Constitutional Offices:

1209-1003 - Commissioner of Revenue $155.00
1213-1003 - Treasurer $ 64.00
2201-1003 - Commonwealth Attorney $ 9.00
3102-1003 Sheriff $559.00

B. Sheriff's Department:

3102-1003 - Regular Overtime - Reimbursement from Middle School $ 70.47

C. VRS Reimbursement:

1201-2006 - Life Insurance - reimbursement of premium paid by employee $ 55.74

D. Rescue Squad:

3203-5604 FY01 Two-for-Life Fund $510.50

E. Tire Security:

4208-1003 Salaries - retroactively (FY01) to eliminate negative balance $1,085.00

F. Comprehensive Service:

5310-3001 - Professional Services - retroactively (FY01) to eliminate negative balance $34,921.00

G. Victim/Witness Advocate:

Appropriate $1,756.00 to reflect increase in grant funding

12. **School Board:** Appropriate $54,000.00 for Lottery Carry Over Funds to 6101-1001 School Budget.

LINE ITEM TRANSFERS:

13. **School Board:**
   A. Transfer $8,500.00 from 6101-3004 Special Project Funds to 6101-3005 New Elementary School.
   B. Transfer $72,501.00 from 6101-1001 School Budget to 6101-3003 CIP Account to reflect appropriation made on June 18th, 2001.

14. **Landfill:** Retroactively (FY01) transfer $902.00 from 4204-3004 Repairs and Maintenance to 4203-3004 Repairs and Maintenance to correct negative ending balance.

15. **Commonwealth Attorney:** Transfer $72.00 from 2201-5504 Travel/Convention to 2201-5502 Mileage. (Reimbursable from the Compensation Board).

Mr. Kendrick made a motion seconded by Mr. Moore to accept the Consent Agenda (items (5-15) as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick then called the Board's attention to the **Informational Items: (items 16-22)**

16. **School Financial Report:** Monthly report for August, 2001.

17. **Library Minutes:** Minutes of July, 2001 meeting.

18. Administrator's Update:

Mr. Carter commented on Central Purchasing. He feels that the County can benefit from a central purchasing system and he feels this needs to be looked into more extensively for the County, including Constitutional Officers.

Also some discussion regarding State Contracts, specific Bid items, etc.

Discussion followed regarding a study be done on

- what and how we buy,
- what would be the cost of centralized purchasing,
- what would be the cost of employing a Purchasing Agent

The Board by consensus instructed Mr. Carroll to perform further study on this issue and report the findings at a future meeting.

19. Town of Appomattox Agenda: Town Council meeting held on July 9, 2001.

20. Changes for Secondary Roads: VDOT's synopsis of new laws affecting secondary Road system.

21. Region 2000 Regional Commission Minutes: Regional Commission minutes for June 20th meeting.

22. CVCC Update: Report from CVCC regarding Major Gifts Campaign.

At 7:25 p.m. Mr. Moore made a motion seconded by Mr. Hancock to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

At 7:00 P.M. on Monday, July 16, 2001 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)

Kevin O'Brien
Robert Johnson

Calvin Tanner
C. A. Moore
Jim Sefter
Wayne Lewis
Marvin Mitchell

ALSO PRESENT: Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 7:00 P.M. Mr. Kendrick opened the Public Hearing and stated to those in attendance that the Public Hearing is not the appropriate forum to engage in discussion on the petitions. Discussion will take place during the Planning Commission meeting that will immediately follow the public meeting in the Jury Room off to the right. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for the petition and finally by individuals wishing to speak against the petition. As you approach the microphone, please state your name, address and whether you are for or against the petition.

Mr. Kendrick then turned the meeting over to Mr. Brandon Stidham, County Planner.

Mr. Stidham read the first petition to be heard.

01-477: Phillip Banton. Variance to §170-81(A) of the Appomattox County Zoning Ordinance pertaining to location of accessory building on lot. Property is located on Route 632 between Route 634 and Route 705, Tax Map #78(A)3B, and is zoned A-1.

Mr. Stidham then called for comments for or against this petition.

Hearing none, the public hearing was closed at 7:02 P.M.

Jerry G. Kendrick, Chairman

On Monday, August 6, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, North Court Street, Appomattox, VA 24522

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator

At 6:00 P.M. Mr. Kendrick opened the meeting and asked Mr. Moore to give the invocation.

Mr. Kendrick then asked **Gary Heiser, State Forest Manager** to come forward and address the Board and make a presentation.

Mr. Heiser began by introducing himself to the Board as he has only been manager since March, 2001. He also passed out some booklets regarding state forest proceeds. He stated he would be more than happy to answer any questions anyone may have at any time, just call. Mr. Heiser presented the County with a check in the amount of $36,627.09 which represents proceeds of timber harvested. They are in the process of evaluating damage to the forests due to ice damage, etc.

Several Board members had questions regarding damage done by ice and how much of this, they were able to recover. They managed to salvage approximately 45% of these trees. They did not have any damage from bark beetles. The Appomattox forest right now is in pretty good shape.

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Mr. Kendrick thanked and excused Mr. Heiser.

Mr. Kendrick next called **Ms. Chris Zitzow of Maximus** to address the Board regarding the salary study that was performed for the County.

Ms. Zitzow presented each Board member with a handout. Ms. Zitzow gave a report on how they did their study and some of the information they used in completing this study. Maximus has done about fifty (50) of these salary studies in Virginia. Basically they do two (2) things at the beginning. They look at what the surrounding counties are paying and what the jobs inside the organization contain. They survey positions in the vicinity and may look at some in the private sector, but they have to be very careful with this. They basically look at all the surrounding counties of similar size. They did not include Bedford County because they felt Bedford was too large. They did however survey Amherst, Prince Edward, Campbell County for selective positions, Buckingham County and Bedford City and the basic message is that you are below the market pay for surrounding counties. That is not bad but you do not want to stay there forever. You will loose some of your better employees to other localities if you do not look at where they should be in regards to salaries. People with longevity and seniority may not leave but those persons in middle or entry-level positions will drive an extra hour for better paying positions outside of the County. They then did a regression analysis on benchmark positions, looking at what the minimum, mid point and maximum pay should be on a particular position. They do not do a final figure, you make the decision as to the final salary range will be. They only give you what we feel the best beginning and final range should be.

Since Appomattox is so far below the normal range they did not recommend going 100% of the market but did recommend going 95% of market. This is not uncommon, as it sometimes takes a year for a locality to come up with the needed money. The best thing to come out of this study is that you now have some very detailed job descriptions that can be used with employees as to responsibilities. This will be very helpful when doing evaluations.

Ms. Zitzow asked if anyone had any questions.

Several Board members had questions ranging from how the job descriptions were established, if the private sector was included and if the budget of the surrounding counties was taken into consideration.

Ms. Zitzow explained that they had tried to focus on those positions where they felt we were most likely to loose good people. The cost of replacing an employee is approximately 25% more to train a new employee and get them up to speed.

Mr. Kendrick thanked Ms. Zitzow for her presentation and excused her.

Mr. Kendrick stated that it was necessary to enter into a closed session in accordance with §2.1-344(A)-1 personnel matters.

At 6:20 P.M. Mr. Carter made a motion seconded by Mr. Moore to enter into a closed session in accordance with §2.1-344(A)-1 to discuss a personnel matter. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:43 P.M., Mr. Hancock made a motion seconded by Mr. Carter to return to regular session. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

On a motion the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2..1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick called for actions from the closed session.

Mr. Carter made a motion seconded by Mr. Kendrick that based upon the Maximus Report, that the Board accept the 95% pay scale and employee classification as described in the report starting on 9-1-2001 with future adjustments being based on employee performance.

Mr. Kendrick asked for discussion, hearing none, Mr. Kendrick called for a vote on the motion as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, nay; and Mr. Moore, aye.

Mr. Kendrick made a motion to instruct the County Administrator to amend the County Personnel Policy to adjust the employee's annual pay based solely upon their performance, starting on June 1, 2002. Mr. Carter seconded the motion. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Moore, aye.

Mr. Kendrick next called for **Supervisor's Concerns:**

Mr. Kendrick voiced his concern regarding the Road Naming of Route 616. In the June 4th meeting the Board went over the list of names and accepted those names that did not have any contentious names or anyone who had a issue with the roads, we accepted all those names that did not have any conflicts but all the names that did have conflicts were sent back to the Road naming Committee for a public hearing. He does not think the Route 616 petition would have changed the outcome of the vote on the Road Naming issue because of the way the motion was worded.

His greatest concern is that the petitions of the people were not considered. In the future when a committee is formed we need set procedures in place so that no one in the County feels that they did not have a proper say so in what goes on and the guidelines for each and every committee should be approved by the Board of Supervisors.

Mr. Kendrick called for other Supervisor's concerns. Hearing none he called for the next item.

ADMINISTRATIVE ITEMS: (Items 1 - 4)

1. **Library Board:** Mrs. Shelia Webb's term has expired and she does not wish to be reappointed. The Board needs to make an appointment from the Falling River District for a term of four (4) years (7-1-2001 to 6-30-2005).

Mr. Hancock asked that this item be tabled until the next meeting.

2. **CSB Annual Contract:** The Fiscal Year 2002 Central Virginia Community Services Performance Contract needs to be approved. The contract appears to be substantially the same as last year.

Mr. Moore stated this is just a formality of what is required for the Community Services Board to operate.

Mr. Moore made a motion seconded by Mr. Hancock that the Board accept the Fiscal Year 2002 Central Virginia Community Services Performance contract for the fiscal year 2002. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Old Elementary School Committee:** This matter was brought up under Supervisor's Concerns during the last meeting. The Board needs to determine the type of representation

they desire and consider making appointments at the next meeting. Suggested members from: Board of Supervisors, School Board, Citizens Forum (2) and concerned citizens (1-3).

Mr. Kendrick suggested that the Board give some thought to not only choosing the committee members but what exactly we want the committee to do. What is our objective? Do we have some ideas ourselves that might need to be explored as well as citizen input. The primary goal should be that whatever the use, it be self-sustaining.

After some discussion it was decided that each member will give thought to this matter and be prepared to discuss again at the meeting on the 20th. Also the County Administrator should get in touch with the current chairman of the Citizen's Forum regarding their status.

4. **State Visitor's Guide:** Mr. Brian Knopp of the Lynchburg Chamber has asked that we participate in placing an ad in the State Visitor's Guide. A 1/4 page ad would cost the County $3,500.00 with the other portion of the ad being paid by a VTC Grant the Lynchburg Chamber has received.. The County has advertised in this guide before and they have a circulation of approximately 750,000. There are funds budgeted for tourism.

After much discussion as to the need for this type of advertising, Mr Kendrick made a motion seconded by Mr. Moore that the Board appropriate $3,500.00 for the VTC Visitor's Guide.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next called for the Board to consider the **Consent Agenda: (Items 5-13)**

5. **Approval of Minutes:** Approval of Minutes from Regular Meeting on March 20, 2000; Recessed Meeting of May 23, 2000 ; Recessed Meeting and Budget Work Session of March 27, 2000; Recessed Meeting and Budget Work Session of March 28, 2000, which were inadvertently not approved by the Board at that time; Regular Meeting on July 16, 2001 and Public Hearing on July 16, 2001.

6. **Approval of Bills:** Approve bills presented for payment.

BOARD ACTIONS:

7. **Railroad Festival:** The Railroad Festival Committee is requesting use of facilities and parking lots in and around the Courthouse Complex for their annual Railroad Festival to be held on October 13-14, 2001. The Board has agreed to this in the past.

8. **Stonewall Vineyards Festival:** Stonewall Vineyards has submitted a permit to hold a festival on August 22, 2001. They are requesting that the bond requirement be waived.

BOARD APPROPRIATIONS:

9. **Courthouse Project:** Approval of the following items related to the Courthouse Project.
   A. Craddock-Cunningham Architectural Partners: $20,749.09 for services rendered.
   B. Hurt & Proffitt: $2,995.00 for performing geotechnical testing and asbestos survey.

10. **Virginia Economic Development Partnership:** Members of the VEDP will be participating in a regional tour organized by Region 2000. Requesting approximately $125.00 for box lunches to be served as part of the tour.

11. **Library:** Appropriate $43,937.00 to Library budget to reflect the state's appropriation to this budget.

SUPPLEMENTAL APPROPRIATIONS:

12. **Sheriff's Department:** Appropriations to Sheriff's budget to reflect grant awards received and/or donations received:
    A. $100.00 to 3106-5401 - DARE
    B. $1,200.00 to 3102-7002 - Equipment
    (Local portion $323.00, State Portion $877.00)
    C. $2,400.00 to 3102-7001 - Equipment
    (100% State and Federal)

13. **Tobacco Indemnification Commission:** Supplement line item 1101-3002 - Professional Services - $45,000.00 to acknowledge receipt of funds from the Tobacco Commission for the County's Gateway Signs.

Mr. Kendrick called for comments on the Consent Agenda.

Mr. Carter stated he felt the VEDP meeting to be held on August 16, 2001 at the Industrial Park would be a big plus the County.

Mr. Carter made a motion seconded by Mr. Kendrick that the Board accept the Consent Agenda as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next presented the **INFORMATION ITEMS: (items 14-17)**

14. **Appomattox Historic District:** The Department of Historic Resources will host a public information meeting on Monday, August 13, 2001 at 7:00 P M. at the Town Hall for the purpose of discussing the Historic District.

15. **School's Monthly Financial Report:** The School Administration has submitted its financial report for the month of September.

16. **Administrator's Report:** Mr. Carroll has submitted Administrator's Report for August. He will be glad to address any questions anyone may have.

17. **Gladstone Rescue Squad:** The Board has received a letter from the Gladstone Rescue Squad thanking the County for their donation.

Mr. Kendrick reminded the other members of the upcoming meetings: Monday, August 20th, at 6:00 p.m. the regular Board meeting and Thursday, August 23rd, at 6:30 p.m. a joint meeting with the

Town of Appomattox.

At 8:14 p.m. on a motion by Mr. Carter seconded by Mr. Kendrick, the meeting was adjourned. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

At 6:00 P.M. on Monday, August 20, 2001, the Appomattox County Board of Supervisors held it's regularly scheduled meeting at the at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
John Spencer - Assistant County Administrator
Brandon Stidham - County Planner
Dan Siegal - Sands, Anderson, Marks & Miller - County Attorneys

At 6:01 P.M. Mr. Kendrick opened the meeting and gave the invocation.

Mr. Kendrick stated that it was necessary to enter into a closed session in accordance with §2.1-344(A)-7 for a discussion regarding a legal matter.

At 6:03 P.M. on a motion by Mr. Carter seconded by Mr. Carwile, the Board entered into a closed session. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:01 P.M. Mr. Carter made a motion seconded by Mr. Hancock to return to regular session: VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

On a motion the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2..1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
ROLL CALL VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:02 P.M. the meeting was recessed until after the Planning Commission Public Hearing.

Following the Public Hearing the Board of Supervisor's meeting was reconvened at 7:06 P.M. by Mr. Kendrick.

Mr. Kendrick called Mr. Carl Weast to appear before the Board.

Mr. Weast has requested to meet with the Board regarding in the E911 road name selected for Route 616 and he wishes to request the Board to reconsider the name given to Route 616.

Mr. Weast thanked the Board of allowing him to speak on behalf of the residents on Route 616 on a matter of great concern. He has heard from citizens in every district of the County regarding this issue. He could have filled the Courtroom with people tonight but he chose not too. Mr. Weast's main concern is a petition from residents on Route 616 regarding the naming of this road. This petition was drawn up to oppose the original proposed name. The residents of Route 616 feel their petition was not given proper consideration, this could be expected in Washington or Richmond but not from their local representatives.

Mr. Weast is asking the Board to reconsider this petition and rescind their motion and vote of July 16, 2001 and change the name of Route 616.

Mr. Kendrick addressed Mr. Weast's concerns, stating the procedures and guidelines used in assembling the names of the county roads for the E911 system.

Mr. Kendrick thanked and excused Mr. Weast.

Mr. Kendrick explained to the Board that in order to change this road name they would have to rescind the vote in which the primary road name was accepted on July 16, 2001. Before doing this he would like to poll the Board to determine if there is enough support to consider this action.
Mr. Carter - No
Mr. Moore - No
Mr. Carwile - No
Mr. Hancock - No

Mr. Kendrick - No, stated he would have to go with the majority.

Mr. Moore then stated we agreed to stick with the original decision regardless of what it was because we could open up a "can of worms" and we would never get through with the process.

Mr. Kendrick stated he felt the Road Naming Committee did follow the guidelines given to them.

Mr. Kendrick next called for **Supervisor's Concerns.**

Having no Supervisor's Concerns, Mr. Kendrick addressed the next item on the Agenda:
ADMINISTRATIVE ITEMS:

1. **Biosolids Ordinance:** The Planning Commission has presented a proposed Ordinance for the Boards consideration. The Board needs to schedule public hearing before this ordinance can be adopted.

Mr. Carwile made a motion seconded by Mr. Moore to hold a public hearing on the Biosolids Ordinance on September 4, 2001 at 7:00 P.M. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. **Elementary School Financing:** The Board needs to pass a resolution which would allow the financing of the school construction project. If approved, the school administration and County staff will submit the VPSA application prior to the deadline of September 4th , 2001. A public hearing would also need to be held on September 17th, 2001. This financing would provide for retirement of the SunTrust note and also provide the additional financing needed to complete the school project. Also enclosed schedule for the VPSA bond sale for review.

After some discussion, Mr. Carter made a motion seconded by Mr. Hancock to adopt the following resolution and to hold a public hearing on September 17, 2001.

AUTHORIZATION RESOLUTION
APPOMATTOX COUNTY, VIRGINIA BOARD OF SUPERVISORS
AS TO SCHOOL PROJECT

WHEREAS, the County of Appomattox, Virginia **(the "County")** is a political subdivision organized and existing under the laws of the Commonwealth of Virginia, and

WHEREAS, the Superintendent of the Appomattox County Public School **(the "Superintendent")** has brought to the attention of the County Board of Supervisors **(the "Board of Supervisors")** the need for capital improvements to the Appomattox Elementary School facility **(the "Project");** and

WHEREAS, the Board of Supervisors intends for application to be made for the County to participate **(the "Application")** in the Interest Rate Subsidy Financing through the Virginia Public School Authority, **(the "VPSA")** School Financing Bonds Series 2001 B in relation to the

Project, and to finance the Project with proceeds of one or more issues of tax-exempt bonds **the "bonds");**

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY AS FOLLOWS:

1. In connection with financing the Project, the Board of Supervisors declares its intend to participate in, and the Superintendent, County Administrator and his designees, County Attorney and Bond Counsel are authorized to take any and all actions necessary for the County to participate in the VPSA's Interest Rate Subsidy Financing through VPSA School Financing Bonds Series 2001 B, in an amount of not to exceed $9,350.00.

2. The actions of the County Administrator, Superintendent, County Attorney, Bond Counsel and any other agent, employee or representative of the County in completing and submitting the Application to the VPSA are hereby authorized, approved and ratified.

3. The County Administrator and his designees, County Attorney, and Bond Counsel are authorized to take any and all actions necessary for the Board of Supervisors to consider final authorization of the Bonds, including but not limited to publication as required by law of a notice of public hearing on final authorization of the Board of Supervisors of the issuance of the Bonds.

4. This resolution shall take effect immediately upon its passage.

ADOPTED this 20th day of August, 2001.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. Board Appointments:

1. Library Board: Ms. Sheila Webb's term has expired and a representative from the Falling River District needs to be appointed. The appointee will serve a term from July 1, 2001 to June 30, 2005.

Mr. Hancock made a motion seconded by Mr. Kendrick to appoint Ms. Darlene Reed to the Library Board for a 4 year term beginning July 1, 2001 to June 30, 2005. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. CVAAA Board of Directors: Mr. Lynn Doss' term on this Board has expired. Mr. Doss is eligible and has expressed a desire to serve for another term. Does the Board wish to appoint Mr. Doss to serve another term?

Mr. Carter stated Mr. Doss was a very dedicated member of the Board. He was recently appointed Treasurer. He feels Mr. Doss will do an excellent job in this capacity.

On a motion by Mr. Carter, seconded by Mr. Carwile, Mr. Lynn Doss was appointed to serve another term on the Central Virginia Area Agency on Aging. VOTE: Mr. Kendrick, aye; Mr.

Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. **Old Elementary School Committee:** This item was tabled from the last meeting. Mr. Carroll has drawn up a narrative that may give some guidance to the committee regarding the future use of the school. The Board also needs to determine the committee structure and appointees.

There was some discussion with Mr. Carwile complimenting Mr. Carroll on a job well done in developing this document. The only thing he would like to add may be the possibility of moving the historic portion of this building to another location.

Mr. Carter feels the need to hear from the School Board before taking any further action.

Further discussion centered around the size of the committee and the status of the Citizen's Forum

After discussion, the Board by consensus decided to contact the School Board regarding its intentions regarding the building before the establishment of this committee.

CONSENT AGENDA:

Mr. Kendrick next called for comments on the Consent Agenda.

5. **Approval of Minutes:** Approve minutes of the January 8, 2001 Public Hearing, not approved previously.

6. **Approval of Bills:** Approve bills presented for payment.

BOARD ACTIONS:

7. **Dominion Power Contract:** VACo and VML have negotiated a contract with Dominion Power on behalf of Virginia municipalities and Counties which will expire June 30, 2007. This contract will only affect electric services provided by Dominion Power. (The County also has services provided by Central Virginia and Southside electric cooperatives.)

8. **Clerk of the Courts Office:** Three quotes have been received for painting the Clerk of the Courts Office. Courthouse Maintenance fund money has been budgeted for this.

9. **Stonewall Vineyards Festival Permit:** Stonewall Vineyards has submitted a permit application including fees for a festival to be held on September 10,2001. They are also requesting that the bond requirement be waived.

10. **Appomattox Chamber of Commerce:** The Chamber has requested use of Courtland Field on October 23rd, 2001 for a circus. The Chamber has asked that the Board waive the $100.00 a day fee as proceeds from this event will be used to promote tourism.

11. **Job Descriptions:** Maximus has submitted the job descriptions developed for the County. The job descriptions will be used as the basis for performance evaluations and for interviewing new hires.

12. **Employee Assistance Program:** This program was approved by the Board at it's meeting on August 6th, 2001. All Constitutional Officers, Library, Department of Social Services and county employees can be covered under the same contract for only a marginal cost which will be paid by the Department of Social Services and the Library. Approval of the Consent Agenda will adopt the EAP policy as submitted and amend the Board's previous decision to include constitutional officers, Department of Social Services, Library staff and county employees under one contract for an additional cost of $337.50.

SUPPLEMENTAL APPROPRIATIONS:

13. **Social Services:** Social Services Board has requested an additional $3,000.00 for their annual budget to be used for special welfare needs.

14. **Comprehensive Services Act:** Transfer of $725.00 from the Comprehensive Administration fund to the General Revenue Fund and supplement 5310-3002 Administration by the same amount to reflect legal charges incurred by the CSA board.

Being no comments on the Consent Agenda, Mr. Kendrick made a motion seconded by Mr. Carter to accept the Consent Agenda as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

INFORMATION ITEMS:

15. **Health Insurance Coverage:** The School and County have received the proposed contract from Trigon for the upcoming year. Premiums have increased approximately 30% over last year. More information will be available at the September 4th, 2001 meeting.

16. **Landfill Inspection Report:** Landfill Inspection report for July 31, 2001.

17. **Animal Shelter Inspection Report:** Animal Shelter Inspection Report for July 23rd, 2001.

18. **JLARC Study:** JLARC is conducting a study regarding review of existing system for funding highway construction and mass transit and they are requesting comments regarding this matter prior to September 7th, 2001.

19. **State Board of Elections:** We have received a letter from the State Board of Elections regarding polling place accessibility.

20. **I & R Center:** Quarterly Report from the I & R Center of United Way reflecting inquires from Appomattox County from April 1 - June 30, 2001.

21. **Town of Appomattox Agenda:** Agenda for the Town Council's meeting on August 13th, 2001.

22. **Portraits for Courthouse:** We have received a request to place portraits of Samuel Daniel McDearmon (1815-1871) and Zacchheus Elam Cheatham in the Courthouse. Both of these men were representatives in the General Assembly. Mr. McDearmon was the county's first delegate and was later state senator for Appomattox, Campbell and Lynchburg. Mr. Cheatham succeeded him in the House of Delegates. Based on Board policy, the Courthouse is the accepted place for these portraits. The family has requested a formal ceremony be held on October 27th to present these portraits.

At 8:00 P.M. Mr. Carter made a motion seconded by Mr. Moore to recess the meeting to 6:30 P.M. on August 23rd, 2001 for a joint meeting with the Appomattox Town Council. Meeting to be held at the Town Office. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry Kendrick, Chairman

At 7:00 P.M. on Monday, August 20, 2001 the Appomattox County Board of Supervisors and The Appomattox County Planning Commission held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va 24522.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)
Al Sears, Chairman
Kevin O'Brien
Robert Johnson
Marvin Mitchell
Calvin Tanner
Wayne Lewis
Jim Sefter

ABSENT: (Planning Commission)
Claude A. Moore
Elizabeth Edwards

ALSO PRESENT:
Andy Carroll - County Administrator
John Spencer - Assistant County Administrator

Brandon Stidham - County Planner

At 7:02 P.M. Mr. Kendrick opened the Public Hearing and stated to those in attendance that the Public Hearing is not the appropriate forum to engage in discussion on the petitions. Discussion will take place during the Planning Commission meeting that will immediately follow the public meeting in the Jury Room off to the right. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for the petition and finally by individuals wishing to speak against the petition. As you approach the microphone, please state your name, address and whether you are for or against the petition.

Mr. Kendrick then turned the meeting over to Mr. Brandon Stidham, County Planner who read the first petition:

01-478 - Ronald W. Carter - Re-zone property from R-1 to B-1 with conditional use permit for mini-storage business per §170-47 of the Appomattox County Zoning Ordinance. Property is located on Route 656 between Route 24 and Route 706, Tax Map #64(3)3, and is currently zoned R-1.

Mr. Stidham called for comments for and against this petition.

Hearing none, he read the next petition:

01-479 - Jack H. Williams - Variance to §170-8 of the Appomattox County Zoning Ordinance pertaining to distance between accessory buildings. Property is located on Route 647 between Route 691 and Route 679, Tax Map #74(A)35, and is zoned R-1.

Mr. Stidham called for comments for or against this petition.

Hearing none, he then read the next petition:

01-480 - Mary J. Overton - Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 602 between Route 601 and Route 626, Tax Map #82(1)7, and is zoned A-1.

Mr. Stidham called for comments for or against this petition.

Hearing none, he proceeded to read the next petition.

01-481 - Dan F. Amos - Variance per §170-75 of the Appomattox County Zoning Ordinance to construct an accessory building in the Flood Hazard District. Property is located on Route 623 between Route 605 and Dead End, tax Map #8(1)10, and is zoned A-1.

Mr. Stidham called for comments for or against this petition.

Hearing none, he proceeded to read the last petition for consideration.

01-482 - RSB Properties - Re-zone property from A-1 to B-1. Property is located on U. S. 460 between Route 633 and Route 620, Tax Map #90(A)107, and is currently zoned A-1.

Mr. Stidham called for comments for or against this petition.

Being no comments on this petition and no further petition to be heard, Mr. Kendrick closed the Public Hearing at 7:06 P. M.

Jerry G. Kendrick, Chairman

On Thursday, August 23, 2001 AT 6:30 p.m., the Appomattox County Board of Supervisors held a joint meeting with the Appomattox Town Council at the Appomattox Town Office, Linden Street, Appomattox, Va.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: (Board of Supervisors)
Jesse H. Hancock - Falling River District

PRESENT: (Appomattox Town Council)
Ronald Spiggle - Mayor
Marvin Mitchell - Vice- Mayor
Norman (Jimmy) Mayberry
Joyce Bennett
Steve Lawson
W. H. (Buddy) Carson

ABSENT: (Appomattox Town Council)
Lewis McDearmon

ALSO PRESENT:
John Spencer - Assistant County Administrator

At 6:30 p.m. Mr. Kendrick called the Board of Supervisors Meeting to order and asked Mr. Carter to give the invocation.

Mr. Kendrick opened a discussion regarding the naming of Route 616 (Old Grist Mill Road). After reiterating several reasons for changing this road name, Mr. Kendrick made a motion to amend Mr. Carwile's motion of July 16th to accept all the primary names as submitted, to omit Route 616 and have the road name sent back to the nominating committee for re-consideration. This motion is being made in order to keep the spirit of public hearings and take care of any preconceived notions.

The motion died due to the lack of a second.

At 6:35 p.m. Mayor Spiggle called the Appomattox Town Council to order and dispensed with the invocation.

Mayor Spiggle stated the purpose of the meeting was to discuss three items of concern to both the Town Council and the Board of Supervisors.

1. Travel and Tourism:

Mr. Rich Guild presented the Joint Committee on Tourism Recommended Tourism Proposal for the Town and County of Appomattox, Virginia. - Developed Spring - Summer, 2001. Committee consisted of: Jerry Kendrick, Board of Supervisors; Rich Guild, Chamber of Commerce; Joyce Bennett - Town Council; John Wilson, downtown businesses and Paul Coviello- the public.

Mr. Guild proceeded to go over the highlights of this proposal.

1. The population of Appomattox County before the Civil War was approximately 10,000, today it is some what over 13,000. We are not growing much. The problem is the cost of services is increasing much, much faster than our tax base. We have a critical need to increase revenue that we bring in. Tourism is the easiest and fastest way to increase revenue.
2. We are not getting our share of tourist money. Other surrounding counties have professional tourism people working for them.

   The National Park Services does not bring in tourism, their purpose is to preserve and protect the surround grounds.
3. Town/County/Private or civic organizations need to combine forces and join together efforts to attract tourists. This proposal recommends that all our efforts be coordinated thru the Chamber of Commerce, with a three year contract. (Each having a separate contract with the Chamber).
4. Chamber will hire a professional director of tourism. We need someone that is trained in tourism marketing. You can't put pressure on volunteers to get a job done.
5. Formation of a tourism advisory council to monitor activities and measure benchmarks. This will require a three (3) year commitment from both the Town and the County. After the third year we should break even and begin to see things climb.
6. Asking for $40,000 from the town and $50,000 from the County, each year for the next three years.

Mr. Guild asked for questions from those present.

Mr. Carter asked why the need for two (2) contracts? Answer: legal issues.

Mayor Spiggle stated he thought one contract would be better and would show cooperation at the time of grant application.

Mr. Carter questioned if the $50,000 from the County was in conjunction with the $13,000 the County already provides the Chamber? Answer: $50,000 is the total amount.

There was a lengthy discussion regarding tourist dollars of surrounding counties. Appomattox is far below the next lowest in area. Tourists come here, visit the National Historic Park, then go to Lynchburg or Petersburg. We need a destination, not just a stop on the way elsewhere. Mr. Guild says we already have the attractions for package deals. (Weekend stays.)

Mr. Carwile asked for details regarding the duties of the Director of Tourism.

Mr. Brett Thompson said that part of the job would be bringing investors to the town for more attractions.

Mr. Guild stated that turning Triangle Plaza into an outlet mall would increase town revenue by 10 - 15%.

Mr. Moore asked the benefit to the County since the town has a meals/lodging tax and therefore receives a greater profit from tourists.

Mr. Guild's reply was that an increase in gross sales would mean that the County's 1% share would continue to grow. Also new buildings by investors would raise real estate revenue, increase jobs, etc.

Mr. Carwile questioned the justification of the County paying more but having less payback.

Mr. Guild stated the County would get their money back. What he had done here was he asked for what he thought he could get.

Mr. Thompson stated that hopefully revenue would increase by providing more jobs, unlike the Industrial Park which could take three years or more to generate any revenue.

There was great discussion regarding the need of initiatives to get volunteers together, coordinating marketing, setting up shop, store and restaurant hours, and generally bringing everything together. There is also the need to educate everyone on the fact that tourism is a form of economic development.

Mr. Carson questioned the make up of the advisory committee and who would do the appointing of it's members. The suggestion was that the joint committee would serve in this capacity for a while.

Mr. Kendrick ask when the County had to make a decision on the proposed tourism package. He also

stated that a dynamic person could raise incentives for himself. This item would be placed on the Agenda for the September 4th meeting.

Mr. Spiggle thanked the Committee for their proposal.

2. Fire Department:

Mr. Spiggle stated the Town Council and Board of Supervisors have for several years now talked about a County Fire Department and a Town Fire Department and Town Council has discussed this. The Fire Department has asked for a new fire truck. The Town had a truck that only ran in town and never went into the County. That is not true any longer, that truck goes wherever it is needed, in town or in the county. He sees the fire department not as a town or county, but the Appomattox Volunteer Fire Department.

Mr. Carter stated the current arrangement was a 25/75% agreement.

Mr. Bobby Wingfield, Chief of the Fire Department stated that when bills come in, the County pays them and then bills the town of their 25%, this is on a monthly basis for fuel, etc. In1972 the town purchased the '72 Chevrolet truck. In 1977 the County purchased the '77 Chevrolet truck. Since 1990, things have been 75-25% with the 1999 truck and the Freightliner purchased in 1998.

Mr. Kendrick questioned what was being done for Pamplin Fire Department.

Mr. Wingfield stated a donation is made annually and payments are made toward fire house and trucks by the Board of Supervisors. Appomattox Town does not contribute to Pamplin.

The Appomattox Fire Department is looking to purchase a new truck at a cost of $350,00.00, with a 55 foot ladder, a 500 gallon tank with a 15 gallon pump. They are not asking for any additional funds, but they are asking that the budget amount be continued as the last truck purchased will be paid for next year and these funds will be put toward the new truck they are proposing to buy.

Mr. Kendrick stated they would need further details on the payoff on the present truck and when the Board would have to make a decision.

3. Water Needs:

Mr. Spiggle and Mr. Garrett stated that the present wells will not meet future needs. We will need to drill one or two more test well. Could be eight to ten years before something else could be in place. Decision needs to be made regarding Lynchburg water line if this option is still available.

At the last joint meeting there was a discussion regarding applying for grants. The CDBG and DEQ6046 water study grants were turned down because we were looking for water for the future and not as a need at the present time.

Discussion centered around the need to reapply for these grants. David Garrett and Andy Carroll need to work together to get a study done regarding purchasing water vs locating water in the County and present this at a joint meeting possibly in November.

At 8:20 p.m. on a motion by Mr. Mayberry seconded by Mr. Carson the meeting was adjourned.
VOTE: Town Council, all aye.
VOTE: Board of Supervisors: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore aye.

Jerry G. Kendrick, Chairman

On Tuesday, September 4, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT: Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 6:00 P.M. Mr. Kendrick called the meeting to order and asked Mr. Hancock to give the invocation.

Mr. Kendrick called Mr. Don Austin, Resident Engineer, Virginia Department of Transportation to address the Board.

Mr. Austin presented the Board with a resolution from the Road Viewers for the acceptance of Woodline Drive, off State Route 669, into the State Secondary Road System. VDOT could not find any past history of this ever being a part of the state/county road system and falls under §33.1-72.1C (50/50 cost) as a subdivision established prior to July 1, 1990.

On a motion by Mr. Carter seconded by Mr. Kendrick the following resolution was adopted:

WHEREAS, the Board of Viewers on July 23, 2001, viewed the following requested section of road for eligibility as a new addition to the Secondary Road System and recommend to the Board that it be added to the Secondary Road System.

BE IT RESOLVED, this Board does hereby accept the Board of Viewers report and will request the Virginia Department of Transportation to add the following section to the Secondary Road System of Appomattox County when the necessary unrestricted fifty (50) feet of right of way is obtained, required utility adjustments completed and funding is available.

BE IT FURTHER RESOLVED, this Board establishes that the following street be eligible for acceptance under Section 33.1-72.1 Paragraph "C" of the Code of Virginia.

Woodline Drive -	Beginning at the intersection of Route 669 and running east for a distance of approximately 0.58 mile to a dead end.
(50/50)	Estimated cost - $150,000

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; and Mr. Moore, aye.

Mr. Austin will contact Mr. Carroll at a later date regarding the 6 year Plan Work session in October.

Mr. Austin stated they are still working on Country Haven Estates and Porter House Road and he will keep the board informed as work progresses.

Mr. Kendrick congratulated Mr. Austin on his new position and thanked him for his report.

Mr. Kendrick presented the board with a proclamation recognizing the accomplishments of the 9 and 10 year old Little League All-Star Baseball Team. The Team will also be recognized at a Board Meeting at a later date.

0n a motion by Mr. Moore seconded by Mr. Hancock the following proclamation was approved:

PROCLAMATION TO RECOGNIZE THE ACHIEVEMENTS OF THE APPOMATTOX MINOR LEAGUE ALL-STAR TEAM

WHEREAS, good citizenship and sportsmanship are molded through the values of cooperation and competition fostered within youth sports in Appomattox County; and

WHEREAS, the Appomattox Minor League All-Star Team makes their home at the Woodmen of the World Ball Field; and

WHEREAS, the Appomattox Minor League All-Star Team has prevailed as AAA Virginia State Champions and have distinguished themselves through performance in the Dixie Youth World Series; and

WHEREAS, the players and coaches have served as outstanding representatives of our County, both on and off the field; and

NOW, THEREFORE, BE IT PROCLAIMED this 4th Day of September 2001 that the Appomattox County Board of Supervisors congratulates the Appomattox Minor League All-Star Team for exemplary achievement in completing a remarkable and memorable 2001 season.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore,

aye.

The next item for consideration was **Supervisors Concerns:**
Mr. Carwile stated he would like to see the members of the Road Naming Committee be given some type of recognition for the wonderful job they did.

Mr. Kendrick recommended that this item be placed on the agenda for consideration at the next meeting.

Hearing no other concerns, Mr. Kendrick called attention to the **Administrative Items:**

1. **Intensive Livestock Ordinance:**
   The Planning Commission has submitted the Intensive Livestock Ordinance for the Board's review. If the Ordinance is acceptable as written, then a public hearing will need to be held.

Mr. Carter stated he was in favor of the ordinance.

Mr. Kendrick would like to reconsider some of the items based upon the attorney's comments before setting a public hearing date.

Mr. Kendrick made a motion seconded by Mr. Carter to table this item until September 17th, and instruct staff to make amendments to ordinance before setting a public hearing date. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. **Joint Tourism Committee Recommendations:**
   Does the Board wish to take any action on the committee's recommendations regarding the creation of a tourism director and utilizing the Chamber of Commerce through a performance contract to increase and enhance the County's tourism effects?

After some discussion, the Board members felt this was overall a good recommendation and support taking action to enhance tourism efforts after many years of talking with not much action.

Mr. Kendrick made a motion seconded by Mr. Carwile to accept the recommendation of the Joint Tourism Committee.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Health Insurance:**
   The Board was presented with the information regarding the increase in health insurance costs for the upcoming contract year. A decision needs to be made so employees will have time to consider their options during the enrollment period.

Mr. Kendrick stated that Sheriff Staples has submitted a letter to the Board requesting that they strongly consider paying the full amount of health insurance for all county employees.

Kendrick made a statement regarding the amount of insurance some of the employees are paying for coverage, especially those law enforcement officers who risk their lives each day.

There was a lengthy discussion regarding staying with Trigon or looking into other plans such as HMO's, etc.

Mr. Carwile made a motion for the County to provide 100% of employees health care cost, with Dental Care Optional on employee's part. Mr. Kendrick seconded this motion with an amendment to continue looking at an HMO's or premium insurance for the future.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 6:47 P.M. Mr. Kendrick called for recess until after the Public Hearing on Biosolids.

At 7:55 P.M., Mr. Kendrick reopened the Board of Supervisors meeting and called for the next items on the agenda.

4. **Board Appointments:**

   a. **Central Virginia ASAP Committee:** Mr. Willie Craft's term on this committee has expired. Mr. Craft has expressed an interest and willingness to continue representing the County on this Board.

Mr. Kendrick made a motion seconded by Mr. Moore to re-appoint Mr. Willie Craft to serve another term on the Central Virginia ASAP Committee. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

   b. **Library Board:** Ms. Margie Reider's term has expired and she has indicated that she does not wish to be reappointed. The Board needs to appoint a representative from the Appomattox River District.

The Board by consensus tabled this until the September 17th meeting.

5. **Planning Commission Recommendations:** The Planning Commission has submitted its recommendations on petitions heard at the August 20th , 2001 Public Hearing.

   01-478 - Ronald W. Carter - Re-zone property from R-1 to B-1 with conditional use permit for mini-storage business per §170-47 of the Appomattox County Zoning Ordinance. Property is located on Route 656 between Route 24 and Route 706, Tax Map #64(3)3, and is currently zoned R-1.

Mr. Carter made a motion seconded by Mr. Kendrick to approve for reasons of public necessity,

convenience, general welfare, and good zoning practices, petition 01-478 - Ronald W. Carter to re-zone a parcel of land located at Tax Map #64(3)3 from R-1 to B-1 and approve Conditional Use Permit to operate a mini-storage business per §170-47 of the Appomattox County Zoning Ordinance. VOTE: Mr. Kendrick, aye, Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

01-480 - Mary J. Overton - Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning Ordinance. Property is located on Route 602 between Route 601 and Route 626, Tax Map #82(1)7 and is zoned A-1.

On a motion by Mr. Kendrick seconded by Mr. Carter petition #01-480 - Mary J. Overton for a Conditional Use Permit to place second dwelling on lot per §170-23 of the Appomattox County Zoning ordinance. Property is located on Route 602 between Route 601 and Route 626, Tax Map #82(1)7, and is zoned A-1. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

01-482 - RSB Properties - Re-zone property from A-1 to B-1. Property is located on US Route 460 between Route 633 and Route 620, Tax Map #90(A)107 and is currently zoned A-1.

Mr. Carter made a motion seconded by Mr. Moore to approve for reasons of public necessity, convenience, general welfare, and good zoning practice, petition #01-482 of RSB Properties to re-zone a parcel of land located at Tax Map #90(A)107 from A-1 to B-1. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Request for subdivision plat waiver: Mary K. Hubbard has applied for a waiver of the minimum road frontage requirements of §141-25(B)(2) of the Appomattox County Subdivision Ordinance, which must be granted by the Board of Supervisors (see attached documentation). The Planning Commission reviewed her situation on August 20th as a request for interpretation from the zoning administrator, and moved unanimously to recommend that the subdivision plot waiver be granted for the following reasons:

1. The existing platted lots are insufficient to meet the minimum road frontage requirements when combined.
2. Additional land has been obtained but not enough to increase the road frontage to 100 feet.
3. No property can be acquired from adjacent owners in order to increase the road frontage to 100 feet.

Mr. Carter made a motion seconded by Mr. Moore to approve request of Mary K. Hubbard for a subdivision plat waiver per §141-25(B)(2) of the Appomattox County Subdivision Ordinance pertaining to minimum required road frontage of 100 feet per lot. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

CONSENT AGENDA: (Items 6-11b)

6. **Approval of Minutes:** Minutes of regular meetings of August 6, 2001 and August 20, 2001 and Public Hearing of August 20, 2001. Mr. Carter stated minutes of August 20, 2001, need following corrections: page 26, paragraph 5, add "to"; and page 26, paragraph 9, add "NO" to Mr. Kendrick's answer.

7. **Approval of bills:** Approve bills as presented for payment.

BOARD APPROPRIATIONS:

8. **Library:** Please make the following appropriations and supplemental appropriations to reflect the library's accurate budget:

Board Appropriation:

Town Contribution	$5,000.00
To 7301-5401 - Office supplies	291.38
To 7301-5411 - Books	427.18

Supplemental Appropriation:

To 7301-5411 - Books	$ 587.11

Rollover Funds/Supplemental Appropriations:

7301-3002 - Professional Services (Grants & donations)	$15,570.00
7301-7001 - Equipment (Grants)	3,039.00
7301-5840 - Special Library Fund (Donations)	4,147.07
7301-5415 - Summer Reading Program (Donations)	354.35
7301-5416 - Video (Donations)	96.61

9. **Courthouse:** Bill from Craddock-Cunningham for work performed on the Courthouse project. From 4302-7009 Capital Outlay $5,502.65

LINE ITEM TRANSFERS:

10. **Pay Scale Implementation:** Please approve line item transfer of $28,333.00 from 1101-1005 - Salary Study Adjustment to cover implementation of pay scale as approved by Board and possible increases of June 1, 2002 depending on performance evaluations.

11. **Sheriffs Department:**
    a. **Regular Overtime:** Please appropriate to 3102-1002 - Regular Overtime $188.47 - reimbursement for officers working school projects.
    b. **Food Services:** Please appropriate to 3301-5402 - Food Services $1.45.

Mr. Kendrick made a motion seconded by Mr. Carter to approve the **Consent Agenda** as presented with corrections to minutes of August 20, 2001 as recommended. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next presented **Information Items** for consideration:

12. **Railroad Festival Parade:** The Railroad Festival Parade is scheduled for October 13th. Does any Board member wish to participate in this parade? If so, do you wish to walk or ride?

13. **School:** The School Board has submitted it's financial statement for October, 2001. Dr. Krug has also submitted a letter regarding the disposition of the current elementary school.

14. **County Administrator's Report:** Mr. Carroll has submitted the Administrator's Update for August. If you have any questions, he will be glad to address them.

15. **Region 2000 Regional Commission:** Minutes of the Commissioners Executive Committee meeting of August 9, 2001 for the Board's review.

16. **Town Council Agenda:** Town Councils agenda for the August 28th meeting.

17. **Business Development Centre:** Update on services regarding assistance, and training for June - July 2001.

18. **STEPS, Inc.:** Thank you note from STEPS, Inc. for donation from Board.

19. **Workforce Investment Board:** Notice regarding Governor's Workforce Leadership Conference in Richmond on October 23rd and 24th. If anyone wishes to attend, Mr. Carroll can provide more information.

Mr. Kendrick called for comments or questions regarding the Informational Items.

At 8:07 p.m. on a motion by Mr. Moore seconded by Mr. Carter the Board voted to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

At 7:00 P.M. on Tuesday, September 4, 2001 the Appomattox County Board of Supervisors held a Public Hearing on Land Application for Biosolids Ordinance at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va. 24522

At 7:00 P.M. Mr. Kendrick opened the Public Hearing and read the following statement:

This public hearing provides interested parties with the opportunity to speak for or against the Land Application of Biosolids Ordinance before the Appomattox County Supervisors. Please note that

the public hearing is not the proper forum to engage in discussion on the arguments and only individual comments on the Ordinance will be received by the Board. As you approach the microphone, please state your name and address for the record. If you are not a county resident, please state your name, home locality and interest. Also please limit your comments to five minutes.

Mr. Kendrick then turned the meeting over to Mr. Brandon Stidham, County Planner.

Mr. Stidham called Mrs. Bethel Moore to come forward.

Mrs. Moore, gave her address as Route 2, Box 21, Concord, Va and stated she is a land owner and taxpayer in the County. She has several questions and concerns regarding this ordinance. She received her paper this week and discovered we were doing this. There may have been other notices that she missed, but this was the first time she had read about this issue. Mrs. Moore has obtained a copy of the draft ordinance and has the following concerns: the 200 ft. setback is too close to residences, open storage lagoons, why biosolids are being bought in from other localities and how often can they be applied. Mrs. Moore also questioned who can reject these applications and if there is an appeal process for county residents. For these reasons she is against this ordinance. Mrs. Moore feels there should be further study and stricter laws that are more applicable to the County.

Mr. Stidham next called Mr. Ervin Crump to address the Board.

Mr. Crump came forward and stated he lived at Route 1, Box 510, Appomattox, VA Mr. Crump stated he had been picking up trash along his road for the past 10 years. This trash includes fertilizer bags, other plastic bags and containers that have been allowed to accumulated in the ditches and on his property by farm operations in his neighborhood. His concern is if someone is being this irresponsible with this type of debris, how do we know that they will be more responsible with something more unpleasant such as biosolids.

Mr. Stidham then called Mr. Dennis Torrence to come forward.

Mr. Torrence gave his address as Route 2, Box 506, Appomattox, Va. Mr. Torrence stated that someone has said "farmers need help to survive unless that help is unfair or unsafe". He feels the use of biosolids is unfair - a few people are going to benefit at the expense of others. He also feels that companies that have never done business here will come in and give away fertilizer and put local companies out of business. 90 to 95% of Appomattox County is zoned A-1. Biosolids have not been proven safe and EPA cannot guarantee the safety of land application to residents. Animals cannot graze and crops cannot be planted for lengthy periods of time. Mr. Torrence suggested the Ordinance be revised and stricter restrictions be applied. Mr. Torrence closed by passing out a list of suggested changes to this Ordinance.

Mr. Stidham called the next speaker, Mr. Ray Wingfield.

Mr. Wingfield gave his address as Route 4, (Route 711) Appomattox, Va. Mr. Wingfield stated that he had attended two meeting in Appomattox and one in Buckingham; he had written several editorials and has not seen or heard any comments from senators or congressmen on this typic. Mr.

Wingfield stated he had spoken to several individuals who stated that by adding Orange oil to the sludge in lagoons, allowing it to sit for one year, it became odorless. Mr. Wingfield has also spoken to an attorney who told him that landowners can file suits under the nuisance act. Our County Attorney and Supervisors should make landowners aware of the fact that they could get sued under the nuisance act.

Mr. Stidham next called Mr. Steve McMahon with Synagro, a sludge contractor.

Mr. McMahon stated that they have spoken with several farmers in the county and have five (5) permits pending for biosolids spread. They have been doing business in Virginia since the late 70's and they are working with 28-29 counties. States can elect not to have EPA regulate this practice. Virginia regulates with a permit process through the Virginia Department of Health and has a very stringent program. House Bill 2827 was passed to allow local oversight of the state program with funding elements to be added as early as 2003.

Mr. McMahon stated he felt the Draft Ordinance was very fair and commended the Planning Commission on doing such a good job. Since he has only had a copy of this for a few days, he would like to reserve the right to file written comments.

There were a few issues he would like to comment on at this time:

95-5 - Contractor Pledge:

A. 28 day requirement prior to submitting application to VDH - would like to have this stricken.

B.5 Posting requirements: The way it currently reads you post the sign at the time you submit the Contractor Pledge. Was this an error? The signage issue intent is to be put up prior to application.

95.7 - Signage:

Information on sign is reasonable.

A. The size of the sign is too large and ask that this be reduced.
Within 25 feet of entranceway to property and within 25 feet of the state right-of-way causes some concern with easement and access to property. Suggest this be changed to read as close to road way as possible and visible from roadway at the application site.

.

95.9 - Training Requirements for Landowner:

Does not feel this is necessary. Landowner consent form should specify, Farmer to undergo training, not landowner.

95.11 - Storage and holding: Current regulations have specifications regarding storage. They are currently changing their regulations to reference short term storage or inclement weather storage. Suggests this section be changed.

Public nuisance concerns are regulated by State.

Mr. Mahon closed by stating they will submit clarifications on definitions in writing.

Mr. Stidham next called Mr. David Smith with NutriBlend.

Mr. Smith came forward and stated he was an employee of NutriBlend, another biosolid contractor. Mr. Smith stated he also had some concerns regarding this Ordinance as written.

95.7 - Notification signage required:
Agrees with Synagro regarding the location of signage. Also feels a contact person to hear citizen concerns should be a County representative as opposed to VDH, because VDH is so very hard to reach.

95.8 Liability:
The statement "cost arising from activities" is too vague.

95.9 Training requirements:
Mr. Smith agrees with Synagro that the Contractors have a program in place already.

Mr. Smith closed by stating he would like to have a longer time period to review this ordinance.

Mr. Kendrick asked if there were any more comments.

Mrs. Ida Doss stated if there is no health concern, and biosolids are so safe, why does the EPA and the VDH have to keep such a close check on the use of this product.

Mr. Kendrick called for additional comments.

Hearing no further comments, at 7:41 P.M. Mr. Kendrick declared the public hearing closed.

Jerry G. Kendrick, Chairman

On Monday, September 17, 2001 at 6:00 p.m. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA 24522.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse W. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:

Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 6:00 p.m. Mr. Kendrick called the meeting to order and asked Mr. Carter to give the invocation.

Mr. Kendrick acknowledged the Dixie Youth 9 and 10 year old All Star Baseball Team on winning their Championship. After reading a Proclamation approved by the Board at its September 4th meeting, Mr. Kendrick presented a framed copy of the Proclamation to Ricky Harris, Coach and congratulated them on their accomplishment. Each member of the team was also presented with a copy of the Proclamation.

Mr. Kendrick next called on Ms. Beverly Ayers, Executive Director, Work Force Investment Board to address the Board.

Ms. Ayers gave a brief statement regarding the Work Force Investment Board and provided the Board with a brief update on the services they are delivering to Appomattox County citizens. It is a replacement for the Private Industry Councils. They actually starting enrolling clients in December 2000. They have two boards: one consists of the Chairman of the Board of Supervisors for eleven (11) counties, along with the County Administrators. In addition, each County will have three representatives, Appomattox's being, Garet Bosiger, who represents business; Victor Meadows who represents Labor and one vacancy, representing the private sector.

Ms. Ayers presented each of the Board Members with a handout on the services of the Workforce Investment Board.

The Workforce Investment Board serves adults, anyone 22 years of age or older, at workforce centers where they receiving training if they need it. If they have a skill, we try to work with them to find a job using the skills they have. If they cannot find a job, then we will offer training in another field.

After a short question and answer session, Mr. Kendrick thanked and excused Ms. Ayers.

Mr. Kendrick then asked Mr. James. Blanks, of JLB Publishing to address the Board. Mr. Blanks is asking the Board to consider placing an advertisement in a visitors guide for Virginia's Retreat (Lee's Retreat).

Mr. Blanks began by reading a letter that was sent to various localities giving an overview of what their intents are and what they are trying to accomplish. These guide books will be distributed to Hotels, Motels, Visitors Centers, Chambers of Commerce, etc. where visitors may visit throughout the region. The publication will also serve as a relocation guide for anyone considering relocating to our county.

The cost of this advertisement will be due and payable after the publication has been printed and distributed. Approximately 30,000 copies of this publication are distributed twice a year.

Several Board Members had questions for Mr. Blanks.

Mr. Kendrick thanked Mr. Blanks for his presentation.

Mr. Kendrick then asked if the Board wished to act on this request. After some discussion, Mr. Kendrick made a motion seconded by Mr. Carwile to place a 1/4 page advertisement in the Virginia's Retreat Visitor's Guide at a cost of $575.00. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Moore, aye.

The next item presented by Mr. Kendrick was **Supervisors' Concerns:**
Mr. Moore stated he had been contacted by a member of the Appomattox Garden Club in regards to the shrubbery in front of the Museum, which will be in the way of construction. The Garden will have to be removed when the wing is removed from the present building. The Garden Club would like to know what the County plans to do with this shrubbery and other plants. Mr. Moore believes the County owns all this shrubbery and should decide if these will be moved to another place within the Courthouse Complex and moved back once the renovation is completed.

Mr. Carroll suggested he meet with the Garden Club and get their recommendations as to how this should be done and report back to the Board at the next meeting.

Mr. Kendrick next addressed the **ADMINISTRATIVE ITEMS: (Items 1-6)**

1. **Resolution Regarding Events of September 11, 2001:** NACo has suggested that all Counties around the Nation pass a resolution regarding the terrorism act of September 11, 2001. Mr. Kendrick read a draft resolution to the Board.

Mr. Kendrick made a motion seconded by Mr. Moore to accept the NACo Resolution regarding the terrorism act of September 11, 2001, as follows:

RESOLUTION

WHEREAS, on September 11, 2001, the United States was suddenly and brutally attached by foreign terrorists, and;

WHEREAS, these terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, D.C., and;

WHEREAS, thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers and bystanders, and;

WHEREAS, these cowardly acts were far the deadliest terrorist attacks ever launched against the United Sates, and, by targeting symbols of American strength and success, clearly were intended to intimidate our nation and weaken its resolve, and;

WHEREAS, these horrific events have affected all Americans. It is important that we carry on with the regular activities of our lives. Terrorism cannot be allowed to break the spirit of the American people, and the best way to show these cowards that they have truly failed is for the people of the

United States and their counties to stand tall and proud.

THEREFORE BE IT RESOLVED, the Appomattox County Board of Supervisors condemns the cowardly and deadly actions of these terrorists, and;

BE IT FURTHER RESOLVED, that the Appomattox County Board of Supervisors supports the President of the United States, as he works with his national security team to defend against additional attacks, and find the perpetrators to being them to justice, and;

BE IT FURTHER RESOLVED, that the Appomattox County Board of Supervisors recommends to its citizens to support relief efforts by giving blood at the nearest available blood donation center. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Biosolids Ordinance:** The Board has held a public hearing to receive public comments on this ordinance and we have received written comments from Synagro and the American Legion for consideration.

   We also have for discussion two letters from Virginia Department of Health regarding the safety of biosolids. One of these letters deals with a lawsuit filed by Synagro against Louisa County dealing with the set backs being greater than those set by the State Ordinance.

Mr. Kendrick has a problem with the safety issue, EPA, and the odors caused by the use of Biosolids. He also has a problem with the State setting ordinances for the County. This is our County and we should have the right to set ordinances as we see fit. To allow biosolids within the County or not. He will not vote for this.

Mr. Carter has some questions pertaining to letter received from Synagro: 1) §95-4 "Where Permitted" - allowing use of biosolids on properties rezoned to something other than agriculture; 2) §95-6 "Processing Fees" - Who is responsible for payment of fees for monitoring prior to 2003; 3) §.95-9 - "Training Requirements" - farm operator should receive training not landowner.

Mr. Kendrick also questioned who is liable for odors, drainage or other problems? Is it the people who bring it in or the farmers or person whose land it is used on? If there is a nuisance suite filed, who is responsible? Is it the landowner or the people bringing it in, or is it the County or the State? If this is a County Ordinance, it should surely be an ordinance that we can agree to, and apply our restrictions as we see fit. If it is a State Ordinance, then what is the point? Do we simply sit silent, Is that what it is all about?

Mr. Moore agreed with Mr. Kendrick in "that was about what it boiled down to". If we don't vote for it, they can spread it anyway.

Mr. Carwile stated he agreed with everything that has been said. He thinks that the Board, owes it to the citizens of the County to do what we can to protect them from biosolids. We have the right to make and put restrictions in this ordinance.

Mr. Carwile is not in favor of taking any action tonight.

There was much discussion on this matter.

Mr. Kendrick made a motion seconded by Mr. Carter to table any action on this Ordinance until the October 15th meeting. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 6:55 p.m. Mr. Kendrick called for a recess until after the Public Hearings.

At 7:15 P.m. Mr. Kendrick called the Board of Supervisors meeting back to order and called for the next item under **ADMINISTRATIVE ITEMS:**

4. **Road Naming Committee:** At its last meeting the Board tabled a request to recognize the efforts of those individuals appointed to this committee by the Board. Does the Board wish to act on this at this time?

Mr. Carwile stated he felt this was a way of thanking those who took their time and effort to complete this task for the County. He is very supportive of this Proclamation.

Mr. Carwile made a motion seconded by Mr. Hancock to issue a proclamation to the members of the Road Naming Committee as follows:

WHEREAS, the General Assembly has declared that all counties in the Commonwealth of Virginia implement a Wireline Enhanced 9-1-1 System by July 1, 2003; and

WHEREAS, a crucial component of the implementation program is the official naming of all town and county roads; and

WHEREAS, the Appomattox County Board of Supervisors and the Town Councils of Appomattox and Pamplin appointed a Road Naming Selection Committee to research and develop names for all public roads in the county and towns as well as private road with three (3) or more dwellings; and

WHEREAS, timely completion of this project is critical in order to successfully meet the General Assembly's mandated deadline of July 1, 2003; and

WHEREAS, the Road Naming Selection Committee completed all tasks according to the adopted work plan to name roughly 375 individual roads in under six (6) months.

NOW, THEREFORE, BE IT PROCLAIMED this 17th Day of September 2001 that the Appomattox County Board of Supervisors extends its profound appreciation to the appointees and subcommittee members of the Road Naming Selection Committee for their diligence, hard work, and dedication to this project.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Board Appointments:

5. a. **Library Board:** The Library Board is in need of an appointment from the Appomattox River District. This item was tabled from the last meeting.

Mr. Kendrick stated he has not made any contacts at this time and would like to table this item until a future meeting.

b. **Workforce Investment Board Appointment:** Mr. George Taylor, President of Process Pipe and Welding has agreed to serve on this Board as a representative from the private sector if appointed.

Mr. Carter made a motion seconded by Mr. Moore to appoint Mr. George Taylor as a representative from the private sector on the Workforce Investment Board. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

6. **Board of Equalization:** The Board of Supervisors has received a letter indicating that a Board of Equalization needs to be appointed so they can receive adequate training.

There was some discussion as to whether we wanted to elect a three (3) or (5) member Board.

Mr. Kendrick stated that it was the consensus of the Board to elect five (5) members to this Board with maybe two (2) extras. The Board will accept suggestions at the next meeting.

2. **VPSA Bond Resolution:** After having had a Public Hearing to receive comments on this Resolution, the Board needs to adopt the VPSA Bond Resolution for financing the new elementary school.

Mr. Kendrick made a resolution seconded by Mr. Moore to accept the VPSA Bond Resolution as follows:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $9,350,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF APPOMATTOX, VIRGINIA, SERIES 2001, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, in March of 2001, the Commonwealth of Virginia Board of Education **(the "Board of Education")** placed the application **(the "Application")** of the School Board of Appomattox County, Virginia **(the "School Board")**, for a loan of $9,350,000 **(the "Literary Fund Loan")** from the Literary Fund, a permanent trust fund established by the Constitution of Virginia **(the "Literary Fund")**, for the construction of the new Appomattox Elementary School **(the "Project")** in Appomattox County, Virginia **(the "County")**, on the First Priority Waiting List;

WHEREAS, the Board of Education was to have approved the release of Literary Fund moneys to the School Board and make a commitment to loan such moneys to the School Board **(the "Commitment")** within one (1) year of placement of the Application on the First Priority Waiting

List upon receipt of the Literary Fund of an unencumbered sum available at least equal to the amount of the Application and the approval, by the Board of Education, of the Application as having met all conditions for a loan from the Literary Fund;

WHEREAS, the Board of Education was thereafter to have given advances on the amount of the Commitment for the Literary Fund Loan to the School Board, as construction or renovation of the Project progressed, in exchange for temporary notes from the School Board to the Literary Fund **(the "Temporary Notes")** for the amounts so advanced;

WHEREAS, after the completion of the Project and the advance of the total amount of the Commitment, the Temporary Notes were to have been consolidated into a permanent loan note of the School Board to the Literary Fund **(the "Literary Fund Obligation")** which was to evidence the obligation of the School Board to repay the Literary Fund Loan;

WHEREAS, the Literary Fund Obligation was to have borne interest at three percent (3%) per annum and mature in annual installments for a period of twenty (20) years;

WHEREAS, in connection with the 2001 Interest Rate Subsidy Program **(the "Program")**, the Virginia Public School Authority **(the "VPSA")** has offered to purchase general obligation school bonds of the County, and the Board of Education has offered to pay, to the County, a lump sum cash payment **(the "Lump Sum Cash Payment")** equal to the sum of (i) net present value difference, determined on the date on which the VPSA sells its bonds, between the weighted average interest rate that the general obligation school bonds of the County will bear upon sale to the VPSA and the interest rate that the Literary Fund Obligation would have borne plus (ii) an allowance for the costs of issuing such bonds of the County **(the "Issuance Expense Allowance")**;

WHEREAS, the Board of Supervisors **(the "Board")** of the County of Appomattox, Virginia **(the "County")**, has determined that it is necessary and expedient to borrow not to exceed $9,350,000 and to issue its general obligation school bonds for the purpose of financing certain capital projects for school purposes; and

WHEREAS, the County held a public hearing, duly noticed, on September 17, 2001, on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended **(the "Virginia Code")**; and

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Bonds and, consented to the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF APPOMATTOX, VIRGINIA:

Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bonds in an aggregate principal amount not to exceed $9,350,000 **(the "Bonds")** for the purpose of financing the construction of the new Appomattox Elementary School. The Board hereby authorizes the

issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

Sale of the Bonds. It is determined to be in the best interest of the County to accept the offer of the Virginia Public School Authority **(the "VPSA")** to purchase from the County, and to sell to the VPSA, the Bonds at a price, determined by the VPSA to be fair and accepted by the Chairman of the Board and the County Administrator, that is not less than 98% of par and not more than 103% of par upon the terms established pursuant to this Resolution. The Chairman of the Board, the County Administrator, and such officer or officers of the County as either may designate are hereby authorized and directed to enter into a Bond Sale Agreement with the VPSA providing for the sale of the Bonds to the VPSA in substantially the form submitted to the Board at this meeting, which form is hereby approved **(the "Bond Sale Agreement")**.

Details of the Bonds. The Bonds shall be issuable in fully registered form; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 2001"; shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 beginning July 15, 2002 **(each an "Interest Payment Date")**, at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years **(each a "Principal Payment Date")** and in the amounts set forth on Schedule I attached hereto **(the "Principal Installments")**, subject to the provisions of Section 4 of this Resolution.

Interest Rates and Principal Installments. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by the VPSA, provided that each interest rate shall be ten one-hundredths of one percent (0.10%) over the interest rate to be paid by the VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA **(the "VPSA Bonds")**, a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that the true interest cost of the Bonds does not exceed six and twenty five one hundredths percent (6.25 %) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of the VPSA. The County Administrator is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of the VPSA, provided that the aggregate principal amount of the Bonds shall not exceed the amount authorized by this Resolution. The execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence such interest rates established by the VPSA and Interest Payment Dates and the Principal Installments requested by the VPSA as having been so accepted as authorized by this Resolution.

Form of the Bonds. The Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as **Exhibit A**.

Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Bonds:

(a) For as long as the VPSA is the registered owner of the Bonds, all payments of

principal, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date or Principal Payment Date, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date or Principal Payment Date.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) SunTrust Bank, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds.

No Redemption or Prepayment. The Principal Installments of the Bonds shall not be subject to redemption or prepayment. Furthermore, the Board covenants, on behalf of the County, not to refund or refinance the Bonds without first obtaining the written consent of the VPSA or the registered owner of the Bonds.

Execution of the Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto.

Pledge of Full Faith and Credit. For the prompt payment of the principal of and premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

Use of Proceeds Certificate and Certificate as to Arbitrage. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute a Certificate as to Arbitrage and a Use of Proceeds Certificate each setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended **(the "Code")**, and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds except as provided below. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Certificate as to Arbitrage and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax

purposes.

State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12 and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by the VPSA to be a MOP (as defined in the Continuing Disclosure Agreement).

Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

Effective Date. This Resolution shall take effect immediately.

* * *

The undersigned Clerk of the Board of Supervisors of the County of Appomattox, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on September 17, 2001, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: Jerry G. Kendrick, Samuel E. Carter, Jesse W. Hancock, Frank H. Carwile, and Russell H. Moore. Members absent from the meeting were: None . Members voting in favor of the foregoing resolution were: Mr. Kendrick, Mr. Carter, Mr. Hancock, Mr. Carwile, and Mr. Moore. Members

voting against the foregoing resolution were: None. Members abstaining from voting on the foregoing resolution were: None.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Appomattox, Virginia, this 17th day of September, 2001.

D. Andy Carroll
Clerk, Board of Supervisors of
the County of Appomattox, Virginia

[SEAL]

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TS-1 $_____

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

COUNTY OF APPOMATTOX

General Obligation School Bond

Series 2001

The **COUNTY OF APPOMATTOX, VIRGINIA (the "County")**, for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** the principal amount of NINE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS ($9,350,000), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 2002 and annually on July 15 thereafter to and including July 15, 2022 **(each a "Principal Payment Date")**, together with interest from the date

of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 2002 **(each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date")**, at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Both principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, SunTrust Bank, Richmond, Virginia, as bond registrar **(the "Bond Registrar")**, shall make all payments of principal, premium, if any, and interest on this Bond, without the presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next preceding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of the Bonds provides, and Section 15.2-2624, Code of Virginia 1950, as amended, requires, that there shall be levied and collected an annual

tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia 1950, as amended, and resolutions duly adopted by the Board of County Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority, at the office of the Bond Registrar on one or more occasions for two or more temporary bonds or definitive bonds in fully registered form in denominations of $5,000 and whole multiples thereof, and; in any case, having an equal aggregate principal amount having maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond are not subject to redemption or prepayment.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Appomattox, Virginia has caused this Bond to be issued in the name of the County of Appomattox Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated November __, 2001.

COUNTY OF APPOMATTOX, VIRGINIA

Jerry G. Kendrick
Chairman
Board of Supervisors

(SEAL)

ATTEST:

D. Andy Carroll
Clerk, Board of Supervisors,
County of Appomattox, Virginia

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The next item for consideration was the **Consent Agenda: (items 7-15)**

7. **Approval of Bills:** Approve bills presented for payment

BOARD ACTION:

8. **Railroad Festival:** The Railroad Festival Committee has requested permission to have a fireworks display at the John Cole Farm on Route 727 on October 13, 2001 at 9:00 p.m

with a rain date of October 14, 2001.

9. **Festival & Entertainment Permit:** J. Lyle Moore has requested permission to hold a Tractor Pull on October 13, 2001 from 9:00 a.m. - 5:00 p.m. on Route 608 at Concord, Va. Mr. Moore is also requesting the Bond fee be waived.

LINE ITEM TRANSFERS: (items 11-14)

11. **Landfill:** Transfer $2,000.00 from 4204-3002 - Professional Services to 4204-3005 - Maintenance Service Contract to accommodate proper coding.

12. **Recreational Department:** Transfer $1514.00 from 7102-1003 - Part-time Salaries to 7104-1003 - Part-time Salaries; and $115.82 from 7102-2001 FICA to 7104-2001 FICA to reflect an incorrect transfer on Salary Study implementation.

13. **Library:** Transfer $465.20 from 7301-5203 - Telecommunications and $500.00 from 7301- 5411 - Books to 7301-2005 - Blue Cross to cover additional cost of health insurance.

14. **Health Insurance Premiums:** Line item transfer of $33,810.00 to cover health insurance premium increase for County employees. Also Health Department is requesting to retain $6,898.23 in excess local revenue funds from FY2001 Budget. Approval of the Consent Agenda would deny the Health Department's request.

15. **IDA Bond:** Transfer $21,585.70 plus any additional interest accrued from the IDA Bond Account to the general revenue fund to pay for qualified budgeted expense (sheriff's car), thus closing this account.

Mr. Kendrick called for concerns regarding the Consent Agenda items.

Mr. Carter stated he had a question regarding item 14. He feels the Health Department should be allowed to retain the $6,898.23 from the FY 2001 Budget. He would like to see this investigated further to see if there is some way to fund the insurance premium increase from elsewhere.

Mr. Kendrick questioned why they did not use these funds during the last fiscal period.

Mr. Moore agrees with Mr. Carter but he is concerned about dipping from some place else. Somewhere along the line we are going to come up short.

Mr. Carwile stated he feels Mr. Moore's conservative views are appreciated.

After some discussion, Mr. Kendrick made a motion seconded by Mr. Carter to approve the **Consent Agenda** with the exception of Item #14 - Health Insurance Premiums. This item will tabled until the next Board meeting. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next presented the **Informational Items:**

16. **Landfill Inspection Report:** DEQ has submitted the August 24, 2001 inspection report.
17. **Tourism Advertisement:** The Town has sent us a check in the amount $1,750.00 to cover their half of the Virginia is for Lovers Advertisement.
18. **2002-2004 Biennium Budget:** Preliminary information for the State's upcoming biennial budget.

Mr. Kendrick asked if there were any further questions or comments.

Hearing none, Mr. Kendrick made a motion seconded by Mr. Carter to adjourn the meeting at 7:30 p.m.

Jerry G. Kendrick, Chairman

At 7:02 p.m. on Monday, September 17, 2001 the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox Town Council held a public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va. 24522.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse W. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

PRESENT: (Planning Commission)
Al Sears - Chairman
Kevin O'Brien
Robert Johnson
Calvin Tanner
Claude A. Moore
Wayne Lewis
Jim Sefter

ABSENT: (Planning Commission)
Marvin Mitchell
Elizabeth Edwards

PRESENT: (Town Council)
Ronnie Spiggle - Mayor
Jimmy Mayberry
Lewis McDearmon

Steve Lawson
W. H. "Buddy" Carson

ABSENT: (Town Council)
Marvin Mitchell
Joyce Bennett

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 7:02 P.M. Mr. Kendrick opened the Public Hearing and stated to those in attendance that the Public Hearing is not the appropriate forum to engage in discussion on the petitions. Discussion will take place during the Planning Commission meeting that will immediately follow the public meeting in the Jury Room off to the right. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for the petition and finally by individuals wishing to speak against the petition. As you approach the microphone, please state your name, address and whether you are for or against the petition.

Mr. Kendrick then turned the meeting over to Mr. Brandon Stidham, County Planner.

Mr. Stidham read the first petition:

01-483 - Michael D. Whitmer - Variance to §170-81(D) of the Appomattox County Zoning Ordinance pertaining to minimum rear yard setback distances for accessory buildings. Property is located on Rt. 703 between U. S. 460 and Rt. 685, Tax Map #62(A)5, and is zoned R-1.

Mr. Stidham called for comments for or against this petition.

Mr. Michael Whitmer, of Route 1, Box 3165, Spout Spring, Va.. Mr. Whitmer stated there had been an oversight in the construction process and urged the Board to approve this petition because of costs and the hardship of removing this building.

Mr. Stidham called for comments against this petition.

Mr. Stidham read the next petition.

01-484 - Fred H. Jones - Rezone- property from R-2 to B-1 per §74-111 of the Town of Appomattox Zoning Ordinance. Property is located between Third Street and Brown Street, Tax Map #64A2(4)1A, and is currently zoned R-2.

Mr. Stidham called for comments for or against this petition

Mr. George Moore of Route 6, Box 1279, Appomattox, came forward and stated he has some

questions regarding this petition. What is the reason for the rezoning? He is against this petition until he knows what it is for.

Hearing no other comments on this petition Mr. Stidham read the next petition.

01-486 - Mary K. Hubbard - Variance to §170-77(A) of the Appomattox County Zoning Ordinance pertaining to minimum lot width requirements for residential uses. Property is located on Route 608 between Rt. 607 and Rt. 721, Tax Map #35(A)25 and part of 35(A)23, and is zoned A-1.

Mr. Stidham called for comments for or against this petition.

Mr. Toby Cunningham, 2232 Ridgewood Drive, Lynchburg, Va. stated he was representing Ms. Hubbard as she is trying to establish a residence at this location.

Mr. Stidham called for comments against this petition.

Hearing none, Mr. Stidham read the next petition.

01-487 - Troy Coker - Variance to §74-180 and §74-182(2) of the Town of Appomattox Zoning Ordinance pertaining to front and rear yard setbacks. Property is located off of Ethel Street, Tax Map #64A6(2)B, and is zoned R-1.

Mr. Troy Coker of 100 Village Square, Apt. 1, Spout Spring, came forward stating he was part owner of this property and they have spent a considerable amount of money on this property and would like to have this variance in order to place a double wide on this land.

Mr. Stidham called for any other comments on this petition.

Hearing none, Mr. Kendrick closed the public hearing at 7:11 P.M.

Jerry G. Kendrick, Chairman

At 7:12 p.m. on Monday, September 17, 2001 the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse W. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT: Andy Carroll - County Administrator

Mr. Kendrick called the meeting to order and read the following statement.

The notice of the intention of the Board of Supervisors of Appomattox County, Va. to propose for passage a resolution authorizing the issuance of up to $9,350,000, Appomattox County General Obligation School Bonds for school purposes. This is for the new Appomattox Elementary School now under construction.

The public hearing is the forum to state whether you are for or against this resolution. We would prefer that you not discuss this with one another at this time.

Mr. Kendrick called for comments for this resolution.

Hearing none, Mr. Kendrick called for comments against this resolution.

Hearing none Mr. Kendrick declared the public hearing closed at 7:14 p.m.

Jerry G. Kendrick, Chairman

The Appomattox County Board of Supervisors held it's regularly scheduled meeting on Monday, October 1, 2001 at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA 24522.

PRESENT: Samuel E. Carter, Vice-Chairman - Courthouse District
Jesse W. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: Jerry G. Kendrick, Chairman - Appomattox River District

ALSO PRESENT: Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator
Brandon Stidham - County Planner (thru Presentation to Road Naming Committee).
James Cornwell - Sands, Anderson, Marks & Miller (closed session)

At 6:02 p.m., Mr. Carter opened the meeting and asked Mr. Moore to give the invocation.

Mr. Carter began by stating that a Road Naming Committee had been appointed by the Board of Supervisors this past year and from that Committee a Sub-Committee was formed. At the last Board of Supervisors meeting the Board voted to recognize these very important people and the

role they played in getting this job done. We each know that was not an easy task, but the task was fulfilled.

Mr. Carter read the Proclamation and recognized the following: Steve Lawson, Town of Appomattox; Susan Hudson, Town of Pamplin; Kevin O'Brien, Appomattox River District; and Steve Connor, Courthouse District.

Mr. Moore recognized Hunt Hamilton, Committee Member from the Piney Mountain District: and the members of the Sub-Committee: Anne Miller, Ray Page, June Page, and Martha Watkins. Mr. Moore congratulated each of these citizens for a job well done.

Mr. Carwile then recognized Laura Krajewski & Jerry Harvey, Committee Members from the Wreck Island District and the Sub-Committee members: Frances Dyess, Gary Tanner, Janet Goin, Bob Dalton and Susan Roope. Mr. Carwile stated that this group had done a splendid job and in a very timely manner.

Mr. Hancock recognized Darlene Reed, Committee Member of the Falling River District and Sub-committee member, Lannis Selz for a job well done. There was only one slight problem concerning the "bridges" but they were able to work that out.

Mr. Stidham handed out Certificates of Appreciation to the members of the Road Naming Sub-Committees.

Mr. Carter then called for **Supervisor's Concerns:** There were no Supervisor's Concerns at this time.

At 6:12 p.m. Mr. Carter made a motion to close this meeting in order to discuss matters exempt under §2.2-3711 A .7 of the Code of Virginia, Consultation with legal counsel, seconded by Mr. Hancock. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:33 p.m. Mr. Hancock made a motion seconded by Mr. Moore to return to the regular meeting. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. More, aye.

Mr. Carter then read the following certification:

Whereas, this Board convened in a closed meeting under section 2.2-3711 A.7, Of the Code of Virginia for the purpose of legal consultation;

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

I call the question: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carter then called for consideration of the **Administrative Items: (items 1-7)**

1. **VPSA Bond: SUPPLEMENTAL RESOLUTION -** Mr. Carroll explained the changes in this resolution were due to changes that the Bond Counsel for VPSA made on Friday. We were not able to get these changes in the Board Book until today as we need to consider these changes before adopting this resolution. This supplemental resolution was necessary to clarify the difference between the subsidized portion for $7.5 million and the unsubsidized portion for $1.850 million.

After some discussion, Mr. Moore made a motion seconded by Mr. Carter to adopt the VPSA Supplemental Resolution as follows:

SUPPLEMENTAL RESOLUTION OF THE COUNTY OF APPOMATTOX, VIRGINIA, MODIFYING THE COUNTY'S SEPTEMBER 17, 2001 RESOLUTION SETTING FORTH PROVISIONS FOR THE COUNTY'S ESTIMATED $1,850,000 GENERAL OBLIGATION SCHOOL BONDS, SERIES 2001, THE NON-SUBSIDIZED PORTION OF THE COUNTY'S SCHOOL BONDS TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors **(the "Board")** of the County of Appomattox, Virginia **(the "County")** held a public hearing, duly noticed, on September 17, 2001, on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.2 -2606, Code of Virginia 1950, as amended **(the "Virginia Code")**; and

WHEREAS, the Board adopted a Bond Resolution on September 17, 2001 relating to the issuance by the County of up to $9,350,000 General Obligation School Bonds, Series 2001 **(the "Bonds")** for the purpose of financing certain capital projects for school purposes; and

WHEREAS, the Board has determined that it is necessary to set out the redemption provisions of the non-subsidized portion of the financing for the estimated $1,850,000 General Obligation School Bonds, Series 2001 **(the "Non-Subsidized Bonds")**; and

WHEREAS, the Board has determined that it is neccesaary to set out certain provisions should the Virginia Public School Authority **("VPSA")** determine that the County should be paid a premium for he purchase of the Bonds; and

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Bonds (as hereinafter defined) and consented to the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF APPOMATTOX, VIRGINIA:

1. **Details of the Non-Subsidized Bonds**. The Non-Subsidized Bonds shall be dated the date of issuance and delivery of the Non-Subsidized Bonds; shall be designated "General Obligation School Bonds, Series 2001; shall bear interest from the date of delivery thereof payable semi - annually on each January 15 and July 15 beginning July 15, 2002 **(each an "Interest Payment Date")**, at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years **(each a "Principal Payment Date")** and in the amounts set forth on Schedule I attached hereto **(the "Principal Installments")**, subject to the provisions of Section 4 of this Resolution.

2. **Sale of Bonds.** In the event that the purchase price determined by VPSA for the purchase of the Bonds would exceed 103% (105% for Bonds with a final maturity or amortization schedule of 10 years or less) of par, the County, at the request of VPSA will lower the amount of Bonds to be issued to provide a purchase price and a proceeds amount that is within 103% (or 105% for Bonds with a final maturity or amortization schedule of 10 years or less) of the amount requested pursuant to the application submitted to VPSA.

3. **Interest Rates and Principal Installments**. The County Administrator is hereby authorized and directed to accept the interest rates on the Non-Subsidized Bonds established by the VPSA, provided that each interest rate shall be ten one-hundredths of one percent (0.10%) over the interest rate to be paid by the VPSA for the corresponding principal payment date of bonds to be issued by the VPSA **(the "VPSA Bonds")**, a portion of the proceeds of which will be used to purchase the Non-Subsidized Bonds, and provided further that the true interest cost of the Non-Subsidized Bonds do not exceed five and eighty five one-hundredths percent (5.85%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of the VPSA. The County Administrator is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of the VPSA, provided that the aggregate principal amount of the Non-Subsidized Bonds shall not exceed the amount authorized by this Resolution. The execution and delivery of the Non-Subsidized Bonds as described in Section 6 hereof shall conclusively evidence such interest rates established by the VPSA and Interest Payment Dates and the Principal Installments requested by the VPSA as having been so accepted as authorized by this Resolution.

4. **Form of the Non-Subsidized Bonds**. The Non-Subsidized Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

5. **Payment; Paying Agent and Bond Registrar**. The following provisions shall apply to the Non-Subsidized Bonds:

(a) For as long as the VPSA is the registered owner of the Non-Subsidized Bonds, all payments of principal, premium, if any, and interest on the Non-Subsidized Bonds shall be made in immediately available funds to the VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear

interest at the applicable interest rate or rates on the Non-Subsidized Bonds.

(c) SunTrust Bank, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Non-Subsidized Bonds.

6. **Prepayment or Redemption**. The Principal Installments of the Non-Subsidized Bonds held by the VPSA coming due on or before July 15, 2011, and the definitive Non-Subsidized Bonds for which the Non-Subsidized Bonds held by the VPSA may be exchanged that mature on or before July 15, 2011, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Non-Subsidized Bonds held by the VPSA coming due after July 15, 2011, and the definitive bonds for which the Non-Subsidized Bonds held by the VPSA may be exchanged that mature after July 15, 2011, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2011, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Non-Subsidized Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

Dates	Prices
July 15, 2011 through July 14, 2012	102%
July 15, 2012 through July 14, 2013	101
July 15, 2013 and thereafter	100

Provided, however, that the Non-Subsidized Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of the registered owner of the Non-Subsidized Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

7. **Execution of the Non-Subsidized Bonds**. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Non-Subsidized Bonds and to affix the seal of the County thereto.

8. **Filing of Resolution**. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

9. **Further Actions**. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Non-Subsidized Bonds and any such action previously taken is hereby ratified and confirmed.

10. **Effective Date**. This Supplemental Resolution shall take effect immediately.

* * *

The undersigned Clerk of the Board of Supervisors of the County of Appomattox, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on October 1, 2001, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: Mr. Carter, Mr. Carwile, Mr. Hancock, and Mr. Moore. Members absent from the meeting were: Mr. Kendrick. Members voting in favor of the foregoing resolution were: Mr. Carter, Mr. Carwile, Mr. Hancock, and Mr. Moore. Members voting against the foregoing resolution were: none. Members abstaining from voting on the foregoing resolution were: none.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Appomattox, Virginia, this 1st day of October, 2001.

D. Andy Carroll
Clerk, Board of Supervisors of
the County of Appomattox, Virginia

[SEAL]

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1 **[$1,850,000]**

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

COUNTY OF APPOMATTOX

General Obligation School Bond

Series 2001

The **COUNTY OF APPOMATTOX, VIRGINIA (the "County")**, for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** the principal amount of [ONE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS ($1,850,000)], in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 2002 and annually on July 15 thereafter to and including July 15, 2021 (each a "Principal Payment Date"), together with interest from the date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 2002 (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Both principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, SunTrust Bank, Richmond, Virginia, as bond registrar (the "Bond Registrar"), shall make all payments of principal, premium, if any, and interest on this Bond, without the presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next preceding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of the Bonds provides, and Section 15.2-2624, Code of Virginia 1950, as amended, requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and

laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia 1950, as amended, and resolutions duly adopted by the Board of County Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of $5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2011 and the definitive Bonds for which this Bond may be exchanged that mature on or before July 15, 2011, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due after July 15, 2011, and the definitive Bonds for which this Bond may be exchanged that mature after July 15, 2011, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2011, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

Dates	Prices
July 15, 2011 through July 14, 2012	102%
July 15, 2012 through July 14, 2013	101
July 15, 2013 and thereafter	100

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Appomattox, Virginia has caused this Bond to be issued in the name of the County of Appomattox, Virginia, to be signed by its Chairman or Vice - Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated November __, 2001.

COUNTY OF APPOMATTOX, VIRGINIA

Jerry G. Kendrick_____
Chairman, Board of Supervisors
of the County of Appomattox, Virginia

(SEAL)

ATTEST:

D. Andy Carroll_____
Clerk, Board of Supervisors
of the County of Appomattox, Virginia

2. **Porter House Road:** The residents of Porter House Road have received two (2) preliminary estimates from Central Virginia Electric Cooperative and Verizon regarding the moving of utilities associated with the construction of the state secondary road. The Board has asked in the past that these fees be waived. The Board needs to consider the following:

1. Instruct the County Administrator to contact Central Virginia Electric Cooperative and Verizon requesting the wavier of all fees associated with this utility work; and
2. Grant an exception to the 50' right of way requirement for all new roads to enter into the secondary road system for that portion of Porter House Road owned in part by Donna Jennings and allow for a 40' right of way for that portion due to a set back requirement from the current dwelling.

After some discussion, Mr. Moore made a motion seconded by Mr. Carwile to approve 1 and 2 above concerning Porter House Road as submitted: VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. **Memorial Gardens:** The relocation of the Memorial Gardens was discussed at the last meeting under Supervisor's Concerns. Mr. Carroll has met with representatives of the Garden Club and they have offered the following suggestions: 1) move boxwoods along Clerk's office building and brick wall with bulbs placed in other parts of the complex or 2) the boxwoods could be placed in a group in the triangle portion of the complex at the entrance to the Commissioner of Revenue and Treasurer's office. The Garden Club prefers Option one.

Mr. Carwile is concerned with the Courthouse direction. He would not like to see anything until the courthouse issue is settled.

There was some discussion about waiting until construction has begun. However, Mr. Carroll informed the Board that he had been advised that the best time to move the boxwoods, etc. was in October or March and if things progressed on the Courthouse as currently planned construction would begin before March.

The Board by consensus agreed to give the Garden Club permission to move the Memorial Garden as per option one as submitted.

4. **VDOT Six Year Plan Work Shop:** The VDOT Six Year Plan Workshop is tentatively scheduled for Monday, October 29th at the Appomattox VDOT Residency Office. Is this agreeable and if so at what time?

The Board by consensus agreed to hold the Six Year Plan Work Shop on Monday, October 29th, 2001 at 6:00 p.m. at the Appomattox VDOT Residency Office.

5. **Board Appointments:**
   a. **Board of Equalization:** The Board needs to appoint someone from each voting district and two alternates to this Board.

Mr. Carwile nominated Mr. Manley Ferguson to serve from the Wreck Island District.

Mr. Hancock nominated Ms. Darlene Reed as the representative from the Falling River District.

Mr. Moore and Mr. Carter have talked to individuals regarding serving in this capacity but have not as

yet received a definite reply.

Mr. Carwile made a motion seconded by Mr. Hancock to recommend the appointment of Mr. Manley Ferguson from the Wreck Island District and Ms. Darlene Reed from the Falling River District to serve on the Board of Equalization. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

b. **Board of Zoning Appeals:** Mr. Stidham has informed the Board that two BZA members term of office will expire on October 31st: Matt Lair and Dale Campbell. Also Mrs. Elizabeth Edwards, Pamplin Town Council has resigned

Mr. Campbell has expressed a willingness to serve another term which will expire in 2005 but Mr. Lair does not wish to serve for another term.

After some discussion, Mr. Carwile made a motion seconded by Mr. Moore to recommend appointment of Mr. Dale Campbell to the Board of Zoning Appeals for a term of four years, expiring in 2005. VOTE:
Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

c. **Library Board:** Ms. Patty Wallace has expressed interest in filling the vacancy on the Library Board from the Appomattox River District. Mr. Kendrick has approved for placing this nomination on the agenda.

Mr. Moore made a motion seconded by Mr. Hancock to appoint Ms. Patty Wallace to serve on the Library Board representing the Appomattox River District. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

6. **Draft Legislative Agenda:** The Administrative staff has submitted a draft Legislative Agenda for the Board's review and serves as a vehicle to gather additional input from the members. The final agenda will be presented at the November 5th meeting and forwarded to our State legislation for consideration in the upcoming General Assembly session.

There was some discussion but overall the Board felt the staff had done a very good job.

7. **Founders of America Communities:** The Board has received information from Caroline County requesting an endorsement of a resolution exploring the creation of a new tourism program in Virginia and tie into the 2007 Anniversary of Jamestown.

Mr. Moore made a motion seconded by Mr. Carwile to adopt the following resolution:
RESOLUTION SUPPORTING FOUNDERS OF AMERICA COMMUNITIES PROGRAM

Whereas, the Appomattox County Board of Supervisors recognizes the important role that the Commonwealth of Virginia has played in the founding of the United States, and

Whereas, the Board understands the importance of preserving our rich historical heritage while at the same time promoting this heritage so that future generations gain appreciation of the struggles of our ancestors, and

Whereas, tourism is an important part of the economy of the Commonwealth of Virginia and Appomattox County, and

Whereas, the County of Caroline has taken the important initiative to coordinate efforts for the creation of a promising new tourism program that has the potential to increase tourism and historical preservation throughout the Commonwealth.

Now Therefore Be It Resolved, that the Appomattox County Board of Supervisors endorses the concept of creating a Founders of America Communities Program and

Be It Further Resolved, that the Appomattox County Board of Supervisors encourages the Virginia General Assembly and the Corporation for Virginia Tourism to seriously consider and begin development of the Founders of Americas Communities Program as a means of promoting tourism and the important role that Virginia played in the formation of our nation.

VOTE: Mr. Kendrick, absent; Mr. Carter, aye; Mr. Carwile, aye; Mr. Hancock, aye; Mr. Moore, aye.

Mr. Carter next presented the **Consent Agenda (**Items 8-14) for approval:

8. **Approval of Bills for October 1, 2001:** Approval of Bills as presented.

Board Action:

9. **Evergreen Ruritan Club Request:** The Evergreen Ruritan Club is requesting that the building permit fees be waived for their addition project. The Board has approved such waivers in the past.

10. **Reassessment:** The reassessment is nearing completion and Tri-County Appraisers is preparing to mail out notices and hold meetings with citizens as required to review the values assigned to property. It will be necessary to hire additional part-time clerical help to assist in proofing the assessment cards and getting this information entered into the computer system. Mr. Carlson estimates needing help for approximately 3 to 5 weeks. The Board has budgeted this expense and

Mr. Carroll is asking for approval to hire someone in this capacity for a cost not to exceed $2,000.00.

Board Appropriations:

11. **Courthouse:** Please approve bills related to the Court house project from 4302-7009 - Capitol Outlay. Craddock-Cunningham $8,099.74
Hurt & Proffitt $ 775.00 (original quote was $625.00, price difference reflects the need for more samples than was estimated.)

12. **Travel/Convention:** The registrar is requesting to attend her annual meeting at a cost not to exceed $450.00 from 1101-5504 - Travel (convention/education).

13. **Livestock Damage Claim:** Please approve payment of $90.00 for value of two hogs killed by stray dogs from 3502-5802 - Claims/bounties.

Supplemental Appropriations:

14. **Sheriffs Department:** Please approve the following supplemental appropriations:
3102-5203 - Telecommunications $112.40
3102-5503 - Travel/Lodging $353.67

Mr. Carwile made a motion seconded by Mr. Hancock to approve the Consent Agenda (items 8-14) as presented. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carter next called the Board's attention to the **Informational Items:**

15. **Administrative Update:** Mr. Carroll has submitted his Administrative Update for September. If anyone has any questions Mr. Carroll will address them during the meeting or after the meeting.

Mr. Carter asked about the turnout for the Park Service Public Hearing held on September 25th at the Carver Price Cultural Center.

Mr. Carroll stated he felt the turnout was very good and they received some very good comments.

Mr. Carter stated he had earlier talked to Mr. Carroll about the Existing Business Visitation Program. John Spencer is visiting two (2) area businesses each month to show the County's support and receive comments on their needs and how the County can assist them.

Mr. Carter asked Mr. Spencer to share some of the feedback he has received from those businesses he had already visited.

There was also some discussion regarding the 6:00 p.m. meeting on October 15th with the School Board to discuss the fate of the old elementary school.

16. **Town Council Agenda:** The Board has received the Agenda of the September 25th meeting of the Appomattox Town Council.

17. **School Board:** The School Board has submitted their financial report for the month of November, 2001.

Mr. Carter called the Board's attention to two (2) upcoming meetings: October 15, 2001 at 6:00 p.m. at the Appomattox County School Board Office and October 17th, 2001 the Regional Dinner in Amherst. Anyone wishing to attend the dinner, please notify Mr. Carroll.

Mr. Hancock and Mr. Carwile expressed that they would not be attending.

Mr. Carter stated he would be attending.

There being no further business, Mr. Carwile made a motion at 8:10 p.m. seconded by Mr. Moore to adjourn. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Samuel E. Carter

Samuel E. Carter, Vice Chairman

The Appomattox County Board of Supervisors and the Appomattox County School Board held a joint meeting on Monday, October 15, 2001 at 6:00 p.m. at the Appomattox County School Administration Building on Court Street, Appomattox, Va.

PRESENT (Board of Supervisors)::

Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse W. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:

Andy Carroll - County Administrator
John K. Spencer - Assistant County Administrator

PRESENT (School Board):

Earl Pickett - Chairman

Lannis Selz
Cliff Rhodenhizer
Martha Pankey
R. M. (Bobby) Mitchell

ALSO PRESENT: Dr. Krug - Superintendent
Billy Perrow

At 6:00 P.M. Mr. Kendrick opened the meeting and gave the invocation.

The School Board opened their meeting at 6:01 p.m.

Mr. Kendrick stated the School Board had requested the meeting to discuss the disposition of the Old Elementary School.

Mr. Earl Pickett stated they were looking for several ways to utilize the old elementary school building once the new school is completed. They are also looking at possibly renovating the present bus shop or using this building for bus use, vocational ed or whatever. If they did this they would get rid of the present bus shop property. They would also like to know how to set up a Capital Improvement Fund with School Board money so they do not get caught in things like they have in the past. For example, the renovating of the primary school with nothing to fall back on. Mr. Pickett then called upon each member of the School Board to voice their opinions.

Mr. Rhodenizer did not have anything to comment at this stage.

Mr. Mitchell stated he would prefer to wait until after the new building is completed and then evaluate the needs, before making any decisions.

Mr. Selz stated that the building was not suited for educational needs but there were several things the building would be better suited for. The facilities could be used partly for educational needs and partly other needs thereby saving the County money.

Mrs. Pankey stated she felt the school could be used for lots of things.

Mr. Carwile had some questions regarding what the School Board wanted to do.

Mr. Pickett next stated they would like to hear what the Board of Supervisors has to say. They definitely need a Capital Improvement Fund, whether they sell the elementary school property, the present bus garage property or the Oakville property. They do know that sooner or later they will have to do some renovating at the primary school, and if OSHA keeps after them they will have to build a new bus shop. They need to have some ideas of what they will need long before they get started on anything regarding these issues.

Mr. Kendrick state that some time last year we looked at the long term needs, we looked at the primary school appropriation as a possibility in 2005, and the high school renovations. He is

somewhat surprised that these particular things were not mentioned at that time. Looking at the list of things that the School Board is recommending that they might use the old building for, the bus shop, adult education, alternate learning programs, storage facilities, maintenance shop. Also the middle school will probably need some additional work, the primary school for sure and the high school and all the trailers we have in use. Why can't we have some type of consolidated plan for this and incorporate some educational facilities as well. It is foolish to waste this space. We need to look at this as a learning institution. We have to look at it financially.

Mr. Pickett stated that his idea was to use it as an educational facility and use some of the area out back as the bus shop.

Mr. Selz stated their intent was to lay out a list of things that might be done. Some of these may not be feasible but they are just a list of some possibilities.

Mr. Carter thinks if this facility is used for educational purposes then a lot of money will have to be spent for renovation purposes.

There was a lot of discussion regarding the additional space needed for the primary school and the high school. Capitol Improvement needs at the high school include; a science lab, vocation needs, technology needs and more classroom space. The primary school is currently utilizing five (5) mobile units.

After much discussion, the consensus was that another meeting would be held in a couple of months with the School Board getting information regarding the priority needs and assessments to the Board of Supervisors in advance in order for them to be able to review ideas prior to meeting.

At 6:35 p.m. Mr. Kendrick made a motion seconded by Mr. Moore to recess to the Courthouse. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Moore, aye.

At 6:40 p.m. Mr. Kendrick reopened the meeting in the Courthouse.

Mr. Kendrick called Mr. Bill Gillespie, Director of the Regional Commission to appear before the Board.

Mr. Gillespie gave a presentation regarding the Regional Commission over the past nine to ten months. He also went over the make up of the Commission, its members and its goals and objectives. Mr. Gillespie requested that the Board give some suggestions on the Action Plan and activities that would work now. Following the presentation each member was given a handout containing a listing of projects and issues put together last year which the Commission used to establish priorities for this year. The top issues the Commission decided to look into were regional health insurance, storm water, legislative agenda and reassessment options. The Commission is requesting the Board's input into these issues.

There was some discussion regarding health insurance and a computer reassessment program.

Mr. Kendrick thanked and excused Mr. Gillespie.

Mr. Kendrick next called the Fire Department Committee to appear before the Board. This Committee has requested to meet with the Board to discuss funding for a new fire truck and a new department building.

Mr. Watkins Abbitt and John Caldwell came forward to represent the Fire Department. Mr. Abbitt stated they were here to ask for help. Mr. Abbitt stated the fire department was in dire need of a new facility. They have answered more than 200 calls so far this year, put in more than 4,000 man hours on call and 1,200 man hours cleaning up and re-packing equipment afterwards. They also do 500 mandated hours of state training. This will give you some idea of what they go through and we all know what it would be like if we did not have these volunteers, and the cost involved if we had to have paid fire and rescue personnel. The proposed building will come in under $400,000. This is a bare bones building. They realize that now is a tough time for the County, but they are not asking for money now, but that money be put in the budget next year and around $25,000 for a total of six years. They need a commitment in order to get financing from the bank

Mr. Kendrick asked when the committee needed an answer.

Mr. Abbitt would like to have a commitment tonight if possible, as there are some things that need to be done as soon as possible.

Mr. Caldwell spoke of the dedication of the volunteers in the fire and rescue departments. There are some problems with the present location, the fumes and the noise. The department has out grown the space, and in some instances, the response is hindered by having to cross the railroad tracks The Rescue Squad has donated the land next to their building and the fire department is looking to build a building similar to the one in Pamplin. They would like to break ground within the next six months if the Board of Supervisors makes a commitment to help fund this endeavor.

There was some discussion and praise of the project and funds the committee feels they can raise.

Mr. Kendrick thanked and excused Mr. Abbitt and Mr. Caldwell.

Mr. Kendrick made a motion seconded by Mr. Hancock to commit $25,000 a year beginning in FY2003 for the next six years to the Appomattox Volunteer Fire Department for construction of a new fire department building. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye and Mr. Moore, aye.

Mr. Bobby Wingfield with the Appomattox Volunteer Fire Department addressed the Board regarding the purchase of a new fire truck as discussed at the joint meeting of the Board of Supervisors and the Appomattox Town Council on 8-23-2001. The Town has approved the purchase of this truck on 25%/75% basis with the County. This truck would replace the 1972 pumper now in service. The new vehicle would be equipped with a mechanical ladder providing more safety to the firefighters and also cover the two and three story buildings now located in the County and Town. Pamplin VFD will also be trained in the use of this vehicle for use if the need should arise.

Payments would be around $40,000 which is about the same as we are paying now. The present truck will be paid off in FY2003 and the new truck payment would begin around FY2004.

There was some discussion regarding the total purchase price, the time involved in building the truck and the interest rate.

Mr. Kendrick thanked Mr. Wingfield for his presentation.

Mr. Carter made a motion seconded by Mr. Carwile to approve the purchase of the new fire truck on a 75%/25% basis with the Town of Appomattox. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next called for **Supervisors Concerns:**
Mr. Carwile stated that at times we have things that come before us and there has been a public hearing for comments, but sometime it is hard to get all the information necessary to comment at that time. If a citizen wants to bring additional information before the Board, should they ask to be placed on the agenda to present this information. Case in point, Mr. Ray Wingfield and the issue of biosolids.

Mr. Kendrick sees nothing wrong with asking an individual to come before the Board of Supervisors thru Supervisors's Concerns.

At 7:30 p.m. Mr. Kendrick made a motion seconded by Mr. Carter to take a ten (10) minute recess. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:45 p.m. Mr. Kendrick reopened the meeting and called for presentation of the: **ADMINISTRATIVE ITEMS:**

1. **Proposed Biosolids Ordinance:**
   At the September 17th 2001 meeting the Board reviewed the proposed ordinance and suggested some minor changes as noted on pages 4 and 5. It was also agreed this item be placed on the agenda for tonight.

Mr. Carwile stated he has been busy this week with many contacts to better inform both himself and others regarding biosolids. Also many people are concerned with the Anthrax scare that is sweeping the country. Biosolids is not a scare tactic, it will be a reality in Appomattox unless we can ward it off by some means of coming together and doing whatever we have to do. We have got to take this thing seriously and to protect the citizens of this County. I am representing the people, and what I am hearing is they are asking me to buy time to get in unity with other counties, sign resolutions and come together and go to Richmond and get some teeth in this thing. After reading the proposed ordinance submitted by the County, it is so limited that he cannot support it. He will comply with what we have to do.

Mr. Kendrick agrees that everyone wants more restrictions. Residents do not believe that EPA has

said that biosolids are safe. The Planning Commission has done their job to keep us out of trouble, but the desire of the County residents is to fight this. We are expected to be the garbage dump for the larger cities yet we do not receive any of the funds for it. He is tired of the pretense, he is tired of a State that doesn't care and the Virginia Health Department that has grossly overstated an issue in one instance and understated it in another. He recommends that the information submitted by Mr. Ray Wingfield be read by the Board members before making any decisions. Unless we can adopt some more restrictions against this issue, he cannot and will not vote for it. This is poor legislation on the part of the State.

Mr. Carwile read statements from EPA; Va Farm Bureau; Congress Member, Joan Davis; The Washington Times; as well as a resolution from Louisa County; etc.

Mr. Moore feels we do not need any more litigation, we need to join with other counties and go to Richmond as a group.

Mr. Kendrick made a motion seconded by Mr. Carwile to table this issue for at least one month until we have had time to look at the Louisa County resolution. Also adding biosolids to Legislative Agenda is something we are against and to instruct the Planning Commission to do more work to investigate legal things that can be put into the ordinance. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. **American Red Cross Disaster Relief Fund:** Giles County Board of Supervisors is making a donation of $1.00 per resident of the County to this fund. They are requesting that all other counties in the Commonwealth make a similar donation.

Mr. Kendrick thinks this is an individual concern for the residents of the County.

3. **Board Appointments:**
   a. **Board of Equalization:** The Board still needs to recommend someone from the Appomattox River, Piney Mountain and Courthouse Districts to this Board. The Board also needs to recommend two (2) alternates for training.

Mr. Kendrick does not have an appointment at this time. Also Mr. Carwile had previously submitted a member, but this individual has declined.

There was some discussion as to the role of this Board.

Mr. Moore suggested Mr. Russell Miller from the Piney Mountain District and Mr. Carter suggested Mr. George Watson from the Courthouse District.

On a motion by Mr. Carter seconded by Mr. Kendrick to recommend appointment of Mr. Russell Miller and Mr. George Watson to the Board of Equalization. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

   b. **Board of Zoning Appeals:** A replacement needs to be made for the remainder of

Mr. Matt Lair's term on this Board. This term would expire in October 2002 and the appointment may be from any district.

By consensus, the Board tabled this issue until the next meeting.

CONSENT AGENDA:

4. **Approval of Minutes:** The Board approved the minutes from the August 23, 2001 Joint meeting with the Town of Appomattox; Regular meeting of September 4, 2001; Biosolids Ordinance Public Hearing on September 4, 2001; Regular meeting of September 17, 2001; Planning Commission Public Hearing of September 17, 2001; and the General Obligation School Bonds Public Hearing on September 17, 2001.

5. **Approval of Bills for October 15, 2001.** (Also manual check of October 3rd).

BOARD ACTIONS:

6. **Courthouse:** The Board needs to approve the $3,300.00 cost for Hurt & Proffitt to perform the necessary survey measures for the Courthouse design. Also the Board has received a project update from Shann Arrington regarding the Courthouse project and an assessment of the Hunter House adjacent to the Courthouse property.

7. **Comprehensive Services Act:** Please transfer $3,750.00 from the CSA Administration account to the general operating fund for payment to Campbell County for the CSA coordinator per the County's contract.

8. **Stonewall Vineyards Festival Permit:** Stonewall Vineyards is requesting a permit to hold a Halloween Festival on October 27, 2001. They are also requesting that the Board waive the Bond requirement as in the past.

BOARD APPROPRIATIONS:

9. **Commissioner of Revenue:** Mr. Mays is requesting $1,003.60 from 1101-5504 Travel (convention/education) to attend his annual conference.

SUPPLEMENTAL APPROPRIATIONS:

10. **Library:** Please approve the following appropriations:

    7301-5411 - Books $495.30
    (fines, book replacement charges, book sales and donations for September, 2001.)
    7301-5401 - Office Supplies $256.95
    (Copies, faxes, etc.)

Mr. Kendrick made a motion seconded by Mr. Moore to approve the Consent Agenda as presented VOTE: Mr. Kendrick aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next presented the **INFORMATIONAL ITEMS:**

11. **Landfill:**
    1. **Inspection Report:** We have received DEQ Inspection Report for September 19th

inspection.

2. **HB1205 Final Prioritization and Closure Schedule:** We have received the conclusion regarding our landfill and final closure date of 2020 due to our "low" risk assessment.

12. **Business Development Centre:** Update for August-September 2001 received.

13. **Sheriff's Department:** At the last meeting the Board supplemented 3102-5503 Travel (lodging) by $353.67. This was not a reimbursement but a canceled check. Therefore, this transaction was not performed.

14. **James River State Park Fall Festival:** The Board has received an invitation to this Festival on October 20, 2001 at 12:00 P.M.

15. **Regional Review:** Regional Commission update.

16. **VACo Draft Legislative Program:** VACo has submitted the Legislative Agenda for the Boards review.

Mr. Kendrick reminded the Board members of upcoming meetings:
October 29th at 6:00 P.M. Six Year Workshop at VDOT Office
November 5th at 6:00 P.M. Board of Supervisors Meeting

Mr. Kendrick asked Mr. Carroll to evaluate the different possible uses for the old elementary school.

At 8:25 p.m. Mr. Kendrick made a motion seconded by Mr. Carter to recess until October 29th at 6:00 P.M. at the Virginia Department of Transportation Residency Office. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

At 6:00 p.m. on October 29, 2001 the Appomattox County Board of Supervisors held a recessed meeting/work session with the Virginia Department of Transportation at the VDOT Residency Office on Ferguson Street, Appomattox, Va. The purpose of this meeting was to discuss the Six-Year Secondary Road Plan.

PRESENT: Jerry Kendrick, Chairman - Appomattox River District
Samuel Carter. Vice- Chairman - Courthouse District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore, Chairman - Piney Mountain District

ALSO PRESENT: Andy Carroll - County Administrator
Brandon Stidham - County Planner
Don Austin - Resident Engineer, VDOT
Milton Thacker - Assistant Resident Engineer, VDOT
Cathy Arrington - VDOT

At 6:15 p.m. Mr. Kendrick opened the recessed meeting of October 15, 2001 and turned the meeting over to Mr. Don Austin of VDOT.

Mr. Austin began by thanking everyone for coming, stating that by having the meeting at the Residency Office makes things a lot easier.

Mr. Austin also stated that there was not a lot of changes in the Six Year Plan from the previous years unless the Board had some changes they wished to present. Three unpaved roads were added. Route 735 has been added as a temporary road with work to begin next year. Route 659 off of Route 26 was also added. This road will require some drainage structure and preliminary engineering that will take approximately two years. The third unpaved road was added, Route 675, a one mile section on the Evergreen end. There were no regular projects added this year. Routes 608 and 641 were already on the books and they will require some major costs, along with Route 604.

The next big project is Route 641. Once the preliminary design is completed, they will hold a public hearing to receive public comments. This will probably be a year from now.

Mr. Austin asked if anyone had any questions. He complimented the Board on having such a good working relationship with VDOT.

Mr. Carter questioned the status on Porter House Road.

Mr. Austin commented that at the present time there is some ongoing deed work being done. One resident has purchased additional land and the road will be relocated. It will probably be spring before any work is actually done on this project.

Mr. Austin next discussed the unpaved road traffic count and the unfunded paved roads improvement list and the estimated cost for the unpaved road priority funding.

There was some discussion regarding the placing of the E-911 Road Name signs.

Mr. Stidham stated that a meeting would be scheduled with representatives from the Town of Appomattox, and VDOT in the near future.

Mr. Austin stated that because of new environmental restraints things are taking a little longer. They have had to go back and readjust other projects as well as work on the current ones.

Mr. Carwile stated he had received complaints regarding a bump/dip on Route 26 near Bent

Creek causing some trucks to spill contents of their load on the roadway. Some residents are concerned regarding biosolids being hauled over this road.

A public hearing on the Six Year Secondary Road System was scheduled for December 5, 2001 at 6:00 p.m. at the Appomattox County Courthouse.

There was a lengthy discussion regarding a traffic light at the Shoppes of Appomattox on Route 460 and/or an access road, with Mr. Austin stating this needs to be addressed in the Transportation Plan in the Comprehensive Plan for the County.

Mr. Austin stated that there is a drainage problem on Atwood Street that may need to be addressed. At the present time, there is no definite plan on what this will cost.

Mr. Carter questioned who was responsible for the drainage ditch off Oakleigh Avenue just off Business Route 460. The grass and weeds are in need of cutting and some residents are complaining of flooding during heavy rainfalls. The Town contends that this is a problem for VDOT.

Mr. Austin stated VDOT was only responsible for problems on State acquired right of ways or if a problem of this type caused problems for them.

At 7:00 p.m. Mr. Carter made a motion seconded by Mr. Carwile to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

At 6:00 P.M. on Monday, November 5, 2001, the Appomattox County Board of Supervisors held it's regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry A. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Vice-Chairman - Courthouse District
Jesse W. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
Jim Cornwell - Sands, Anderson, Marks & Miller (Closed Session Only)

At 6:00 P.M. Mr. Kendrick called the meeting to order and asked Mr. Hancock to deliver the invocation.

Mr. Kendrick called Mr. Ray Wingfield to come forward to discuss the Biosolids issue.

Mr. Wingfield began by handing out written recommendations from the Concerned Citizens of VA's Heartland Organization.

Mr. Wingfield read a portion of the Supreme Court opinion to Amelia County this past year and a summary of HB2827 which allows localities to adopt ordinances that give the County the right to monitor sludge applications.

The Concerned Citizens of Virginia's Heartland Organization recommends:

1. The employment of a part-time or full-time biosolids inspector to make sure regulations are not abused or violated,

2. Testing - A chemical test should be done before any sludge is dumped in Appomattox County. According to EarthCare, a contractor, the estimate cost is $855 per event and takes approximately 5 days. This testing is for heavy metals. Copper should be added to the list. This testing is done from the railroad site. The cost of this testing should be the responsibility of the transporter, not the County. Mr. Wingfield also read a letter from Dr. Evanylo of VA Tech.

Several Board members had questions for Mr. Wingfield.

Mr. Carter wanted to know if any county charges the landowner/operator a permit fee.

Spotsylvania County still goes by the Right to Farm Act. They are being sued by Recyce. And Loudoun County has a simple but strict ordinance.

Mr. Wingfield stated that he felt a real strict ordinance may work. He reads the setbacks as minimums and the Planning Commission didn't add to it, but the Court states that we can enlarge upon this.

Mr. Moore asked about soil injection. How is this done around here?

Mr. Wingfield replied that Dr. Evanylo describes how it can be done. Liquid biosolids can be injected below the soil surface using tractor drawn tank wagons with injection shanks and tank trucks fitted with flotation tires and injection shanks. Both types of equipment minimize odor problems and reduce ammonia by immediately mixing the soil and the biosolids. Injection can be used before planting or following harvesting crops, but is likely to be unacceptable for forage or sod crops. (i.e. hay).

Mr. Kendrick asked is any County has made that a part of their ordinance. Mr. Wingfield stated none that he has knowledge of but Watkins Abbitt stated this can be done.

Mr. Carwile stated he felt this method would help us protect our waterways, namely the Chesapeake Bay and water supply.

Mr. Wingfield presented an article from the Richmond Times Dispatch of October 25th regarding the fact that the Bay health is worsening because of polluting; another article in a Crewe, Va. newspaper, Norton's water supply containing lead and unfit to drink; and the Appomattox Times Virginian a notice that the Town of Pamplin's water supply was contaminated.

3. Buffer Zones - Should be increased from State recommendations of a minimum 200' from State Roads to 1 mile from historical and archaeological places.

4. Slopes - Should be at least 7% in the winter months and no more than 15% anywhere. When the State requirements were established in the 1980's the only places using biosolids were counties like Isle of Wight and others in the Suffolk area where you would probably not find even a 1% slope.

6. Insurance - Should be the responsibility of the landowners, managers or operators and should include a liability insurance in the amount of $1 million. Farm and homeowners policies that contain exempt liability waste pollution clauses should be non-acceptable. (i.e. Farm Bureau Insurance Company 1987)

7. An impact fee of $500 per farm per each application period should be levied.

Mr. Wingfield also read an article from the Washington Times regarding the dumping of sludge by the Army Corps of Engineers in the Potomac River. This was the same article read by Mr. Carwile at the last meeting.

Mr. Carwile commented on Mr. Wingfield's work in gathering this information and asked if the County should proceed with strict restrictions at this time or wait until after the VHDA completes their update in July 2002.

Mr. Wingfield stated that we legally do not have a chance of fighting the EPA. We need to make the ordinances as tough as possible now and be ready to go to court if needed.

Mr. Carwile quoted from the EPA Office of Inspector General's Report that the EPA does not have an effective method to insure that land application practices are protective of human health and the environment.

Mr. Kendrick thanked Mr. Wingfield for his presentation.

Mr. Carter asked how many applications the County has received for the use of biosolids. He has copies of five and would like to receive copies of the remaining five applications.

Mr. Kendrick made reference to the amount of literature he had received on the subject of biosolids and it all basically says that you have to adhere to the State's regulations. They have made all kinds of suggestions but they are leaving it up to a local governing body that doesn't have the resources to adequately study the issue to make an appropriate decision. I agree with the expansion of these

ordinances but as long as it doesn't come in conflict the State you can do this and you can be challenged in court. We are spending enough time in court. We are not in a very honorable position.

Mr. Carwile feels strongly that the responsibility of the Board of Supervisors should be to fight.

Mr. Kendrick then called for **Supervisor's Concerns:**

Mr. Carwile would like to know if the Board of Supervisors should consider having a special meeting with the Planning Commission to determine a concrete move on biosolids now. After reconsideration, Mr. Carwile decided to hold his comments until later in meeting.

Mr. Carter would like to invite the Nesbe Cable representative to address the Board of the progress they have made in the last couple of months.

1. Biosolids: The Board has received a draft resolution concerning Biosolids from Louisa County. At it's last meeting the Board voted to act on this proposed biosolids ordinance at the November 19th, 2001 meeting.

Mr. Carwile questioned if the Board of Supervisors should hold a special meeting/work shop with the Planning Commission to determine a concrete move before the November 19th meeting.

Mr. Carter and Mr. Kendrick both agree with Mr. Carwile.

Mr. Kendrick made a motion seconded by Mr. Carwile to set up a meeting with the Planning Commission to discuss biosolids. Do not consider doing this at a regular meeting .VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye, and Mr. Moore, aye.

At 6:47 P. M. Mr. Carter made a motion seconded by Mr. Moore to enter into a closed session in order to discuss matters exempt under §2.2-3711 A. 7 of the Code of Virginia, Consultation with legal counsel regarding Courthouse litigation. VOTE: Mr. Kendrick, aye Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 8: 42 P.M. on a motion by Mr. Carter, seconded Mr. Moore the Board returned to regular session and Mr. Kendrick read the following certification:

Whereas, this Board convened in a closed meeting under section 2.2-3711A.7 of the Code of Virginia for the purpose of discussion with legal counsel.

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore,

aye.

2. School Board Letter: Dr. Krug has written the Board expressing the concern of the School Board regarding health insurance premiums for employees. The additional cost of providing this coverage to school employees would be approximately $69,000 this fiscal year.

Mr. Carter had a question regarding paragraph 2 , "For many years the School Board had a health insurance policy solely for its employees. Several years ago the county requested to join the group and benefit from belonging to a larger group. The School board agreed to this arrangement with the idea that it would lower the costs of health insurance for employees in both entities." Would not this arrangement have been of benefit to the School Board as well as the County?

Also in paragraph 3, "In recent years, the portion of health insurance costs paid by the county for its employees has exceeded that paid by the School Board for its staff in most years. The county had paid the full employee share for a number of years while the School Board has been able to pay the full cost for the employee-only share for its workers only once in the past few years".
Is this not based on how the county adjusts it's budget expenditures that allows them to be able to cover these insurance premiums for its employees?

Mr. Kendrick stated that during the budget process the School had a choice to pay full or not pay full. He does not think any one county employee should be treated differently. Are we not stepping into their decision making process. He also does not want this to come up every year during the budget process.

He also feels the board needs to meet with the School and have this discussion.

Mr. Carwile feels if we agree to their request, we would be opening a Pandora's box.

Mr. Kendrick made a motion seconded by Mr. Carwile to meet with the School Board and discuss the insurance premium issues. Vote: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Carwile reminded the other Board Members that they needed to act on the Resolution from Louisa County regarding biosolids under Item 1 - Biosolids.

Mr. Kendrick called for discussion.

Mr. Carwile stated he felt the Board should support this resolution.

Mr. Carwile made a motion seconded by Mr. Kendrick that the Board adopt this Resolution on Biosolids from Louisa County as presented.

WHEREAS, the land application of sewage sludge, sometimes referred to as "biosolids", is regulated in accordance with regulations adopted by the State Board of Health; and

WHEREAS, the Board of Supervisors of Appomattox County wants to do everything possible to protect the health, safety ands welfare of its citizens and to project water quality, but is limited due to a Virginia Supreme Court decision that a locality cannot ban the spreading of sewage sludge; and

WHEREAS, the same Board has heard conflicting reports from its citizens, the Virginia Department of Health and the Environmental Protection Agency regarding the long-term health and environmental effects of spreading of sewage sludge onto the land; and

WHEREAS, the sewage sludge spreading industry has raised challenges and questions regrading local government authority to regulate the land application of sewage sludge, placing local governments in a difficult and potentially expensive position of facing repeated litigation over ordinances they may pass to protect their citizens,

NOW THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors does hereby request the Commonwealth of Virginia, Department of Health to not issue any further permits for the spreading of sewage sludge or "biosolids" in Appomattox County until the scientific data is uniform and the practice is proven safe to the satisfaction of Appomattox County; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Appomattox County, would like legislation in order to clarify that a locality has full authority regarding the land application of sewage sludge; and

BE IT FURTHER AND FINALLY RESOLVED that this resolution is forwarded to the Department of Health, the Senator Frank Ruff and Delegate Watkins Abbitt for their consideration.
VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. Intensive Livestock Ordinance: Revised draft of the Intensive Livestock Ordinance has been received by the Board. The concerns expressed by the Board at its last review have been addressed. The Board may wish to set a public hearing date at this or its next meeting if it wishes to proceed with this ordinance.

Mr. Carter questioned the minimum acreage requirements. Is this for individual types of livestock or a combination of all. (i.e. poultry & beefcattle) He feels this should be clarified in the ordinance.

Mr. Carwile sees no reason to delay.

Mr. Carroll will get a clarification on this issue prior to the next Board meeting.

4. **Proposed Amendment to Zoning Ordinance:** The Planning Commission has forwarded to the Board a proposed amendment to the zoning ordinance regarding two (2) dwellings on a lot. A public hearing will be required prior to making this change.

Mr. Carter made a motion seconded by Mr. Kendrick to hold a public hearing on the proposed

changes to the Zoning Ordinance. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye

5. Health Department Request: On September 17th, the Health Department had requested they retain $6,898.23 from the FY 2001 budget. Mr. Carroll contacted the Health Department as to why these funds were not used during the budget year. State spending restrictions last year were the main reason for the local excess. This money will be used to purchase computers, medical equipment and additional filing systems.

After a lengthy discussion, Mr. Carter made a motion seconded by Mr. Kendrick to deny the request from the Health Department to retain funds from the FY2001 budget. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

6. Tourism Committee: The Board has received a letter from Mr. David Garrett, Town Manager, regarding their decision to reject the recommendation of the Joint Tourism Committee and stating the Town would like to for this committee to continue meeting.

There was a lengthy discussion centered around the activities of the Joint Tourism Committee and their reason for recommending the need for a director of tourism. There was some thinking that maybe the issues should be revisited, maybe the Town should do a study and come up with some recommendations, also one suggestion that the County continue on their own.

Discussion continued regarding the need for a leader for this type of activity; the goals of the director; who this person would report to and just how do we move forward. Somewhere in all the discussion between the Committee and the Town, the objectives and goals for tourism development was lost.

Mr. Carwile made a motion seconded by Mr. Carter to continue with the joint tourism committee to see what can be accomplished. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

7. Board Appointments: Appointments need to be made to the following Boards and Commissions.
   a. **Board of Equalization:** Need appointments for Wreck Island and Appomattox River Districts. Also two alternates.

Mr. Carwile recommended Mr. Gary Tanner as a representative from the Wreck Island District and Ms. Annie Hunter as an alternate.

Mr. Kendrick recommended Mr. Jerry Hughes as a representative from the Appomattox River District.

Mr. Kendrick made a motion seconded by Mr. Carter to appoint Mr. Gary Tanner and Mr. Jerry Hughes to the Board of Equalization: VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

b. **Board of Zoning Appeals:** Mr. Matt Lair's seat on this Board needs to be filled for the term of one year expiring in October 2002. This appointment may come for any district.

Mr. Carwile recommended Mrs. Nina Beasley be appointed to this board.

Mr. Carwile made a motion seconded by Mr. Kendrick to appoint Mrs. Nina Beasley as a replacement for Mr. Matt Lair on the Board of Zoning Appeals. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

c. **Planning Commission:** Several appointments are needed for the Planning Commission. Also, the Commission has recommended that the structure of the commission be altered as follows: 6 County - one for each district (plus a Board Member); two for the Town of Appomattox and 2 from the Town of Pamplin, to better accommodate appointments from the Board. This change would also need to be approved by the Towns of Appomattox and Pamplin before a public hearing can be held.

Mr. Kendrick made a motion seconded by Mr. Carwile to amend the Joint Planning Commission to eliminate the requirement of a Board of Supervisor member on the Planning Commission and to notify the Towns of Appomattox and Pamplin. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

There was some discussion regarding the new and re-appointments to the Planning Commission as suggested. Mr. Kendrick recommended Mr. Jerry Hughes to represent the Appomattox River District with Mr. Carter recommending Mr. Steve Conner from the Courthouse District.

Mr. Kendrick made a motion seconded by Mr. Hancock to accept the Planning Commission appointments as recommended excluding the Falling River District. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

8. Legislative Agenda: The Legislative Agenda has been revised as recommended by the Board.

Mr. Kendrick called for discussion on the proposed Legislative Agenda. Once the Board approves this agenda, it will be forwarded to our Delegates, Senators, and Representatives in State Government, VACo, Central Virginia Regional Commission and anyone else the Board wishes to receive this. It could also be released to the media.

Mr. Kendrick made a motion seconded by Mr. Carwile to adopt the Legislative Agenda as presented and forward to the appropriate officials.

APPOMATTOX COUNTY BOARD OF SUPERVISORS
LEGISLATIVE AGENDA, 2001 - 2002
FINAL DRAFT
(In no order of priority)

- The General Assembly should give greater consideration to overhauling the current tax code to alleviate pressures imposed on localities by dependence upon real estate taxes.

- Localities should be granted increased authority over all land use activities conducted within their borders. State permitting or other authorization of a land use activity should not preclude a locality's right to prohibit that activity (e.g., land application of biosolids).

- Localities should not be required to implement unfunded state mandates until the General Assembly establishes and adopts an adequate funding mechanism. Any deadline established for implementation of the mandated program shall be set from the date of passage of the funding mechanism and not the passage of the enabling legislation.

- Opposes legislation that increases the mandatory recycle rate for landfills from the current 25% without funding and technical assistance provided by the General Assembly.

- Requests a study be initiated to determine the Virginia Resource Authority's ability to provide financing for the construction of public buildings and facilities, in particular courthouses and county government buildings.

- Localities should have the authority to add a maximum of 1% to the state sales tax, with voter approval, for capital improvement programs including but not limited to: school construction/maintenance, infrastructure improvements (water, sewer, and transportation), community development projects (e.g., recreation centers/fields), and public buildings (e.g., courthouse construction/improvements).

- The General Assembly should create a funding mechanism to insure annual pay raises for local Constitutional officers, sheriff's deputies, and school teachers without increasing the local tax burden.

- Appomattox County supports the 50/40/10 state income tax distribution formula so long as the state does not use the program to supplant other funding.

- Strongly opposes expansion of the Chesapeake Bay Preservation Act (CBPA) as currently enforced in CBPA communities to areas encompassing Appomattox County. The County would support modified CBPA legislation under the following conditions:

  a. Programs are voluntary and incentive-based, not mandatory; or
  b. Less burdensome standards are established that rationally relate to the region's impact on the Chesapeake Bay; or
  c. Legislation is passed that has a negligible, if any, effect on housing affordability and construction costs.

- Supports legislation that eliminates the SCC tax of 2.25% on health insurance premiums for local government entities.

- Supports the establishment of programs to expand and improve local health care facilities in rural areas.

- Rural localities should have increased authority to regulate junkyards and abandoned vehicles, including but not limited to requiring fencing/screening or seeking civil penalties against property owners.

- Localities should have the power to adopt and enforce portions of the property maintenance code that has been adopted by the General Assembly.

- Opposes legislation that expands the authority of the Right-to-Farm Act at the expense of local government land use authority.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

The next item for consideration was the **Consent Agenda: (Items 9-17)**

- **Approval of Minutes:** Minutes of regular meeting on October 1, 2001; regular meeting of October 15, 2001 and the Joint Work Session with VDOT regarding the 6 year Secondary Road System on October 29, 2001.

- **Approval of Bills:** Approval of bill as submitted.

Board Actions:

- **VPSA Bond:** Mr. Carroll is asking for authority to notify SunTrust of the Board's intention to retire the Note of December 2000. SunTrust requires a 30 day written notice of intent. The VPSA bonds have been sold and should close on November 15, 2001.

Board Appropriations:

- **Courthouse:** Please appropriate $11,184.85 from 4302-7009 Capital Outlay for Architectural fees related to Courthouse renovation project.

  Mr. Carroll asked permission to notify the architect to suspend work on the Courthouse Project.

Mr. Kendrick made a motion seconded by Mr. Carwile to notify architect to suspend work on the Courthouse project until the pending legal case has been addressed. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Supplemental Appropriations:

- **School Board:** Additional request for funds of $2,557.00 which reflects a Community Coalition Grant received by the School.

- **Appomattox Volunteer Fire Department:** Supplement line item 3202-5608 Appomattox Volunteer Fire Department by $780.64 to reflect additional funds received from the State for fire programs funds.

- **Sheriff's Department:** Supplement line items 3103-1004 - Overtime by $7,388.00 and 3101-2001 - FICA by $612.00 as requested by the Sheriff's Department for funds received from a USDOT pass through program.

Line Item Transfer:

- **Landfill:** Transfer $1,000.00 from 4204-7001 - Equipment to 4204-5415 - Safety Supplies to properly reflect coding of bills.

- **Reassessment:** Transfer $1,000.00 from 1210-1003 - Part-time Salaries to 1210-3002 - Professional Services and $2,000.00 from 1210-1003 - Part-time salaries to 1210-5201 - Postage to more accurately reflect expenditures.

  Also grant permission to County Administrator to write manual check for postage in the amount of $4,000.00 to cover bulk mailing of reassessment notices.

Mr. Kendrick called for comments on the Consent Agenda.

Mr. Kendrick made a motion seconded by Mr. Moore to approve the Consent Agenda as amended. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next presented the **Informational Items** for discussion:

- **School Board:** The School Board presented the following:
  - Monthly financial report of December
  - Facilities Cost Data new school construction. (Please note the letter of October 24, 2001 from Hunter Bares which clarifies the calculations regarding the Appomattox Elementary School Project.)

19. **Administrator's Update:** Mr. Carroll has presented the Administrator's Update for October, 2001. Mr. Carroll will address any questions the Board may have regarding this report.

Mr. Carter asked if the deadline for the E911 should be 2003 not 2001. Mr. Carroll stated that the 2003 date was indeed the correct date.

20. Women's Club of Appomattox: The Women's Club has written the Board expressing their opposition to the use of biosolids in Appomattox County.

21. The SMARTer Region: New quarterly newsletter highlighting the activities of Region 2000.

22. Portrait Policy: Policy for portraits placement as approved by the Board.

23. Board Resolution of March 19, 2001: Resolution regarding the Board's agenda as was discussed at the last meeting.

Mr. Carwile requested the language be changed to include that any supervisor may recommend that a person can be invited to appear before the Board in regards to an ongoing issue.

Mr. Carroll will revise or clarify the Resolution and bring to the next meeting.

The Board was reminded of the upcoming meeting on November 19, 2001 at 6:00 P.M.

Having no other business to discuss, Mr. Kendrick made a motion seconded by Mr. Moore to adjourn at 9:40 p.m. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

At 6:00 P.M. on Monday, November 19, 2001 the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA. 24522.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick, Chairman - Appomattox River District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: (Board of Supervisors)
Samuel E. Carter - Courthouse District

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 6:00 P.M. Mr. Kendrick opened the meeting and asked Mr. Moore to give the invocation.

Mr. Kendrick stated the need for a closed session in accordance with §2.2-3711 A.7 of the Code of Virginia to discuss a legal matter concerning Porter House Road.

At 6:02 P.M. Mr. Moore made a motion seconded by Mr. Carwile that the Board enter into closed session to discuss a legal matter regarding Porter House Road under Section 2.2-3711 A.7 of the Code of Virginia. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 6:15 p.m. Mr. Moore made a motion seconded by Mr. Carwile to exit the closed session and return to the regular session. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick then read the following certification:

Whereas, this Board convened in a closed meeting under section 2.2-3711 A.7 of the Code of Virginia for the purpose of discussion of a legal matter.

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

I call the question: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick invited Mr. Bill Coalson, Tri-County Appraisers and Mr. Clayton Martin, Board of Assessors to address the Board regarding the current reassessment.

Mr. Coalson started out by giving clarification of the process of the reassessment. Reassessment is mandated by the State every four or six years. The reassessment is a means of equalization of values and is based on what similar houses in the area have been selling for. Different parts of the counties have different values on the real estate market. Things change over a period of six years, not just characteristics of properties but the market itself may change. Land sells for different prices in different locations. One part of the county may appreciate more than another. Some land still has timber while other have been cut over.

The first step in reassessing is a sales study where a number of homes and land sells are reviewed and set into rates for that area. Then the assessor physically visits each piece of property to ascertain exact conditions of the property. The previous assessment and percentages are not looked at for purposes of determining this re-assessment.

If no one was at home, the assessor left a blue door hanger on the residence requesting the occupant to send information to the office. Approximately 60% of those left were returned. Land itself is not walked. After the assessor does his work, Mr. Coalson reviews the property cards and the Board of Assessors also reviews the property to insure equality.

Mr. Coalson has received approximately 450 calls from people complaining about the large increase in reassessed value. He stated if property increased by a large percentage, then the property was under assessed the last time.

Several Board members had questions and Mr. Coalson attempted to answer each one.

Mr. Coalson closed by stating that Wednesday, November 21st was the last day to make an appeal to the Board of Assessors and the next step would be to appeal to the Board of Equalization.

Mr. Kendrick thanked and excused Mr. Coalson and Mr. Martin.

Mr. Kendrick next called for **Supervisor Concerns**.

Mr. Carwile commented on Governor-Elect Warner's interest in increasing monies for education and we should let him know that we support this endeavor by a resolution of support.

Mr. Carroll will draft a resolution concerning Governor-Elect Warner's interest in increasing monies for educational purposes to be reviewed at the next meeting.

Mr. Moore is concerned about the alternative education program and thinks maybe we could receive some help on this issue.

Mr. Kendrick stated he had two (2) concerns: (1) Assessment - how it relates to the tax payers. The Board has tried to plan for the financial future of the County and had hoped to reduce the tax rate but he is concerned this will be affected by the outcome of the Courthouse litigation. He stated his past record and has not changed his position. (2) Tourism Committee: Mr. Kendrick is resigning from the sub-committee for personal reasons. He is still very supportive of tourism efforts for the County.

At 6:51 Mr. Hancock made a motion seconded by Mr. Carwile to recess for the Public Hearing. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:27 P.M. Mr. Kendrick reopened the Board of Supervisor's meeting and called for action on the **ADMINISTRATIVE ITEMS:**

1. 460 East Water Study: In recent discussions that David Garrett, Manager, Town of Appomattox and Mr. Carroll have had with Campbell County and Lynchburg, it has been explained that the alternative for water is still viable. They would appreciate a letter stating that there is still some interest from Appomattox in this project.

Mr. Carwile feels we should keep this option open and he is supportive of this. He is supportive of dealing with Lynchburg City but not the Campbell County Water Authority.

Mr. Moore stated he concurs with Mr. Carwile.

Mr. Carwile made a motion seconded by Mr. Moore to have Mr. Carroll proceed with a letter stating we are still interested in discussing this water study. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. Board Appointments:
   a. Board of Equalization: The Board still needs to select two (2) alternates to this Board for training purposes. Mr. Carwile has previously suggested Ms. Anne Hunter and Ms. Laura Krajewski.

On a motion by Mr. Carwile seconded by Mr. Hancock, Ms. Anne Hunter and Ms. Laura Krajewski were selected to serve as alternates on the Board of Equalization. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. Landfill Collection Policy: In the past we have not had any formal guidelines for collection of fees owed to the County for landfill use and the proposed policy should alleviate some problems that are currently being experienced. Approval for the purchase of new software/hardware to better implement this policy is also being requested.

   Costs for this program will be approximately $10,000 and we are currently owed past due fees of over $17,000.

After some discussion, Mr. Carwile made a motion seconded by Mr. Moore in support of this policy and the purchase of software/hardware as proposed. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. Joint Meeting with the Town of Appomattox: The two governing bodies had suggested that they hold another joint meeting in November or December. Need some possible meeting dates from the Board.

Mr Kendrick would like to know the purpose of this meeting and would like a formal proposal from the Town regarding the issues to determine if a meeting is actually necessary.

5. School Board Request: At it's November 15th meeting, the School Board made a motion to form a special committee to discuss the future of the current elementary school with the Supervisors, if the Supervisors were willing to do the same. The School Board has also reserved Monday, November 26th at 6:00 P.M. to meet with the board concerning health insurance.

After a lengthy discussion it was the decision of the Board to meet with the School Board on November 26th to discuss health insurance, with the majority of the Board Members feeling that all the employees should be treated equally.

It was the consensus of the Board to add the Elementary School Committee to the agenda for discussion on the 26th.

6. Modified Resolution: At its last meeting the Board requested that the March 19th, 2001 resolution on receiving comment regarding past Public Hearings be modified.

Mr. Kendrick made a motion seconded by Mr. Carwile to approved the Modified Resolution as presented. Amended portion is underlined.

Whereas, the Appomattox County Board of Supervisors are interested in receiving comments from the public regarding decisions that are being made and /or considered regarding various issues of importance to the County, and

Whereas, the Board considers comments received during these public hearings when deliberating about the issues facing the County and also considers ongoing input from citizens during the deliberation period, and

Whereas, the Board recognizes that this input is both desired and necessary to perform its function for the citizens of Appomattox County and that adequate time is needed to duly consider the input from citizens, and

Whereas, the Board also recognizes the need to conduct the County's business in an orderly and effective manner and that the Board has a limited amount of time during meetings to conduct official business,

Whereas, the Board provides for public hearings and public comment in accordance with the Code of Virginia, 1950, as amended, and

Now therefore be it resolved, that the Appomattox County Board of Supervisors instructs the Clerk of the Board to accept written correspondence regarding issues under consideration through the Wednesday preceding a regularly scheduled Board meeting and also instructs the Clerk to deny requests for placement on the Board's Agenda to discuss issues previously addressed in a public hearing,

And be it finally resolved, that the Board of Supervisors reserves the ability to schedule additional public hearings as may be desired in order to provide the public with additional input on issues of concern to the County, and individual Board of Supervisors members may instruct the Clerk of the Board to place an individual on the Board's Agenda if in the opinion of that Board member the individual has additional information that will aid in the Board's decision making process.
VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next called attention to the **Consent Agenda:** (Items 7 - 10)

7. Approval of Bills: Approval of bills as presented including manual check written for postage for reassessment mailing.

SUPPLEMENTAL APPROPRIATIONS:

8. Sheriffs Department: Supplement line item 3102-1002 - Regular Overtime by $1,274.21 to reflect payment received by the department for working special events.

9. Library: Supplement line items 7301-5401 - Office Supplies by $257.20 and
7301-5411 - Books by $296.12.

10. Landfill: Supplement line item 4204-5415 - Safety Supplies by $500.00 to reflect grant funds received from VML for safety equipment.

INFORMATIONAL ITEMS: (Items 11-15)

11. Landfill Inspection Report: Landfill Report for October 7, 2001

12. Town Council Agenda: Councils agenda for their November 13th meeting for your information.

13. Porter House Road: Letter from Verizon stating they will not be able to waive the fees associated with certain improvements on this road.

14. United Way Information & Referral Center: Report on referrals made by the United Way in Appomattox County from July through September, 2001.

15. FY2000 Jail Cost Report: Excerpts from Compensation Board's Report. Entire report is available at the Office of the County Administrator.

Mr. Kendrick made a motion seconded by Mr. Hancock to approve the Consent Agenda as presented: VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick then reminded the Board of the December 3, 2001 Board Meeting and Public Hearing on the following: VDOT 6 year Plan
Revision of Joint Planning Commission Ordinance
Modification of Zoning Ordinance regarding two dwellings on a lot.

At 7:59 P.M. Mr. Kendrick made a motion seconded by Mr. Hancock to recess the meeting to the November 26th meeting with the School Board. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

The Appomattox County Board of Supervisors, the Appomattox County Planning Commission, and the Appomattox Town Council held a Public Hearing on Monday, November 19, 2001 at 7:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: (Board of Supervisors)
Jerry G. Kendrick, Chairman - Appomattox River District
Jesse Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: (Board of Supervisors)
Samuel E. Carter - Courthouse District

PRESENT: (Planning Commission)
Al Sears - Chairman
Kevin O'Brien
Calvin Tanner
Jerry Hughes
Susan Hudson
Robert Johnson
Marvin Mitchell
Jim Sefter

Steve Conner

PRESENT: (Town Council)
Ronnie Spiggle - Mayor
Buddy Carson
Steve Lawson
Jimmy Mayberry
Joyce Bennett

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 7:04 P.M. Mr. Kendrick opened the Joint Public Hearing and stated to those in attendance that the Public Hearing is not the appropriate forum to engage in discussion on the petitions. Discussion will take place during the Planning Commission meeting that will immediately follow the public meeting in the Jury Room off to the right. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for the petition and finally by individuals wishing to speak against the petition. As you approach the microphone, please state your name, address and whether you are for or against the petition.

Mr. Kendrick then turned the meeting over to Mr. Brandon Stidham, County Planner.
The following petitions were then presented.

01-488. Gray S. Nash, t/a Nash Auto & Equipment. Amend conditional use permit per §74-202(38) of the Town of Appomattox Zoning Ordinance to allow display/sales of used motor homes, travel trailers, and trailers in addition to current uses. Property is located on Rt. F1010 between U.S. 460 and Rt. 24, Tax Map #64A3(A)1, and is zoned B-1.

Gray Nash spoke on behalf of his petition. He stated that he does not see the amended use causing any adverse affects, as there is currently a trailer park and camper trailers adjacent to his property.

No one spoke against this petition.

01-489. Harrison Kelso. Re-zone properties from R-1 to R-2. Properties are located on Rt. 647 between Rt. 689 and U.S. 460 East, Tax Map #62(A)45, 46, 52, 53, and 66A, and are currently zoned R-1.

Harrison Kelso (P.O. Box 440, Spout Spring) spoke on behalf of his petition. The property used to have a trailer sited on it at one time, now wants to place a new trailer on the property. The property is currently zoned for modular homes, but he would like permission to site a trailer. He added that if he cannot site a regular trailer [single-wide mobile home], that he would have no problem siting a double-wide mobile home instead.

James Brotherton (Rt. 2 Box 4, Spout Spring) spoke against the petition. He is opposed to the re-

zoning if it includes single-wide mobile homes, but has no problems with double-wides, modulars, or stick-built homes. He stated that there are water problems in that neighborhood, in particular with his well which is the fourth well he has dug. He added that permitting single-wide homes would adversely impact the water supply in that area, but that double-wides or better should not cause problems.

01-490. Nancy R. & Stanley B. May. Variance to §170-81(A) of the Appomattox County Zoning Ordinance pertaining to location of accessory building on lot. Property is located on Rt. 727 between Rt. 644 and Rt. 644, Tax Map # 98(A)57, and is zoned A-1.

Nancy May (Rt. 5 Box 902) spoke on behalf of her petition. She wants to construct a garage into the front yard of her home for general appearance purposes to be consistent with how the property is currently laid out.

No one spoke against this petition.

01-491. Lee Marshall. Conditional use permit to operate auto repair shop per §170-34 of the Appomattox County Zoning Ordinance. Property is located on Rt. 615 between Rt. 686 and Rt. 616, Tax Map #19(2)3, and is zoned A-1.

Lee Marshall (Rt. 615, P.O. Box 2185, Appomattox) spoke on behalf of this petition. He stated that he is petitioning to set up an automotive garage. He plans much landscaping and because it would be located in an A-1 zone, he intends to make it fit into the district; it will not be the typical "country garage" that you see around the county. He has included a list of restrictions that he is imposing himself that should explain how his business will be designed.

Richard Fortin (Rt. 3 Box 251, Appomattox) spoke on behalf of this petition. He stated that he is Mr. Marshall's closest neighbor on the same side of Rt. 615. He has known Mr. Marshall for about five years and states that he is a responsible individual. He currently runs a business in town which he deals with frequently as an employee at Advance Auto Parts, and he sees no problem with this petition.

Steven Humbles (Rt. 3 Box 260, Appomattox) spoke on behalf of this petition. He stated that he has known Mr. Marshall for three years and that he is a good mechanic. He added that if the garage were permitted, it would save him time in having to come to town for automotive service. He also said that Mr. Marshall is on-call 24 hours a day and has helped him many times when he has needed help.

Willie Ferguson (P.O. Box 62, Evergreen) spoke on behalf of this petition. He said that Mr. Marshall is a good mechanic, does excellent work, and that he is here to support him.

Ralph Lyle (Rt. 2, Concord) spoke on behalf of this petition. He stated that Mr. Marshall has done mechanical work for him in the past and does a fine job.

Brenda Johnson (Rt. 2 Box 417, Appomattox) spoke on behalf of this petition. Mr. Marshall currently operates a garage across from her home and she hears no noise and has no problems with

his current business. She added that she works third shift and sleeps during the day, but is not bothered by noise from his shop.

Aileen Ferguson (Rt. 1 Box 64K, Pamplin) spoke on behalf of this petition. She supports the petition and stated that Mr. Marshall keeps a clean and neat garage. Also states that the new garage would not be detrimental to the area.

Rebecca Moore-Ranson (Rt. 3 Box 254C, Appomattox) spoke against this petition. She said that she lives directly across from Mr. Marshall and opposes the petition based on increased traffic that it would generate. She does not object to Mr. Marshall's right to have a business or to his character, but she does not want to have to come out of her house to look at the garage every day. She is also uncomfortable having a young daughter at home alone with a business of this type there. She intended to live in a rural area where she would not have this kind of development occurring around her. Ms. Ranson then cited 170-32, the intent section of the A-1 Agricultural District provisions, as supporting the denial of this petition. She added that her husband works swing shift, that they cannot have noise going on, and that Mr. Marshall will not be able to control noise all the time. Ms. Ranson also has concerns with a drain pipe that comes from Mr. Marshall's property onto hers, and that it would interfere with an orchard she plans to plant. She is also concerned with maintenance of landscape on the property. She concluded by stating that she wants strong consideration given to the fact that the garage will be right across from her home.

Rachel Eubank (Rt. 3 Box 254, Appomattox) spoke against this petition. She said that Mr. Marshall's property is also across from her home. She noted that Mr. Marshall works 24 hours per day and that should tell you something about his planned business. She also supports all of the concerns addressed by Ms. Ranson.

The Public Hearing adjourned at 7:24 PM.

Jerry G. Kendrick, Chairman

At 6:00 p.m. on Monday, November 26,2001 the Appomattox County Board of Supervisors and the Appomattox County School Board held a joint meeting at the Appomattox School Administration Building, Court Street, Appomattox, Va.

PRESENT: (Board of Supervisors)

Jerry G. Kendrick, Chairman - Appomattox River District
Samuel G. Carter - Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ABSENT: (Board of Supervisors)

Jesse L. Hancock - Falling River District

PRESENT: (School Board)
Earl Pickett - Chairman
Lannis Selz
Clifford Rhodenizer
Martha Pankey
R. W. Mitchell

ALSO PRESENT:
Andy Carroll - County Administrator
Dr. Walter Krug - School Superintendent
Billy Perrow - School Administration
Janice Marston - School Administration
Bobby Waddell - School Administration
Brenda Goin - School Administration

At 6:02 p.m. Mr. Pickett called the School Board meeting to order.

At 6:04 p.m. Mr. Kendrick called the Board of Supervisors meeting to order.

Mr. Pickett stated the first order of business was **Consideration of the Agenda**;

There were no items from the Superintendent.

There were no items from the School Board.

Mr. Pickett moved to the next agenda item: **Information Items:**

3a. Employee Health Insurance:
The School Board had sent a letter to the Board of Supervisors concerning the employee's contribution to the health insurance program. Mr. Carroll had responded that the Supervisors needed more information and it was felt the best way to do this was to have a joint meeting and discuss issues on both sides.

There was a very lengthy discussion concerning all employees being treated equally. Both boards are in agreement on this issue.

The major part of the discussion centered around how to estimate the increase in health insurance premiums prior to submitting the school budget for the fiscal year.

Mr. Carroll suggested that maybe we should start working on a proposal to be sent out in the early Spring in order for us to have some numbers prior to budget preparation.

Also it was proposed that both the School Board and the County set up a separate account similar to a contingency fund for the purpose of covering insurance increases.

Mr. Pickett next called for comments on the next item on the agenda.

3b. Old Elementary School:

Mr. Pickett stated that the School Board was working on a proposal to the Board of Supervisors regarding the use of the Old Elementary School. However, they would need some additional time as they are looking at various options.

The suggestion was made that a committee made of one Board Member, one School Board Member and 2 or 3 citizens. Another suggestion was one School Board member, one Board Member and one Town Council member with each appointing a citizen.

School Board may want to utilize the facility. However, if the School Board continues to operate the facility, it will impact the School Board's budget.

Mr. Fred Lawson was recognized by Mr. Pickett and suggested using the facility as a community center with there being no expense to the County or the School Board. Mr. Lawson feels he can guarantee no cost to the County. Would like to see everything kept in town, not moved out on Route 613.

Suggestion was made to form a committee similar to the Road Naming Committee to come up with a suggestion that would create a use that would be self sustaining, and beneficial to the community at large.

Mr. Carroll will notify the Town Council of the proposed committee.

At 7:04 p.m. Mr. Carwile made a motion seconded by Mr. Carter to adjourn the Board of Supervisors meeting with the School Board continuing with their meeting. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Jerry G. Kendrick, Chairman

On Monday, December 3, 2001, at 6:00 p.m. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry G. Kendrick , Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator

Brandon Stidham - County Planner

At 6:00 p.m. Mr. Kendrick opened the meeting and gave the invocation.

Mr. Kendrick stated the first thing on the agenda would be the VDOT Six Year Plan public hearing followed by the public hearings on the Proposed Modification to Zoning Ordinance and the Proposed Planning Commission Changes. The Board then recessed its regular meeting in order to conduct the public hearings.

At 6:23 p.m. Mr. Kendrick reopened the Board of Supervisor's meeting and asked Mr. Paul Lee of Robinson, Farmer, Cox to discuss the FY2001 audit report prepared by his firm.

Mr. Lee stated the County finished the FY2001 in good financial shape.

The General Fund balance was approximately $2.77 million and the Capital Improvement Projects balance was approximately $2.3 million. The General Fund was about 11% of your budget. They recommend having a 15% to 20% range but if necessary you could draw down on the Capital Projects. The General Fund did increase by $600,000.

The tax collections are still relatively high with about 97.9% of assessed taxes being collected. This is a very good rate and would have to drop by some 2%-4% before impacting the budget significantly.

Mr. Lee discussed the budget comparisons and capitol projects such as the school. No departments had over spent. Overall he found no problems with the audit for FY 2001.

Mr. Carwile asked Mr. Lee about the collection of taxes and the present budget as compared to other localities.

Mr. Carwile also asked if there was a deficit this year or in the last three years?

Mr. Lee stated no and there had not been any. Mr. Lee went into a lengthy explanation of the Combined Statement of Revenues, Expenditures and Changes in Fund Balances as detailed in the audit report.

Mr Kendrick stated that an operating deficit is different from a real deficit, and addressed the issue of the tax increase.

Mr. Lee concluded by stating that when you get below 10% reserves you start struggling to match revenues and expenditures between tax periods. He also stated he had no concerns regarding the County's financial status.

Mr. Kendrick thanked and excused Mr. Lee.

Mr. Kendrick next called for **Supervisor's Concerns**:

Mr. Carwile stated he had many concerns but would address only a couple of them.

He questioned Mr. Carroll regarding the repairs to the plaster wall in the Courtroom. He had confronted Mr. Lovelace, who was doing this repair, as to who had authorized him to do this work. He was concerned with the difference in the estimated and the actual cost. Also why was this work being done in light of the controversy on the Courthouse Renovation Project?

Mr. Carwile next addressed Mr. Kendrick regarding comments he had received in connection with an article that appeared in the Lynchburg newspaper on Monday and also the Appomattox paper regarding a statement that Appomattox County was operating in a deficit. To his knowledge the County has never been in the red.

Mr. Kendrick responded that the reference was to an operating deficit only.

At 6:55 p.m. Mr. Kendrick stated that it was necessary to go into a closed session in accordance with §2.2-3711.A.7 and §2.2-3711.A.1 to discuss the Courthouse litigation and also a personnel matter (performance review).

Mr. Carter made a motion seconded by Mr. Carwile to enter into closed session to discuss the Courthouse litigation and a personnel matter. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 9:10 p.m. Mr. Kendrick made a motion seconded by Mr. Carter to return to regular session. Mr. Kendrick read the following statement:

Whereas, this Board convened in a closed meeting under section 2.2-3711.A.7 and section 2.2-3711.A.1 of the Code of Virginia for the purpose of discussing a legal matter and a personnel matter.

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

I call the question: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 9:12 p.m. Mr. Hancock had to leave the meeting.

Mr. Kendrick called attention to the **Administrative Items: (Items 1 - 6)**

1. Planning Commission Membership: At a public hearing earlier in the meeting, the Board received comments on the proposed changes to the membership makeup of the Joint Planning Commission as recommended.

Mr. Carter made a motion seconded by Mr. Carwile to approve the recommendation that the proposed changes be made to Section 170-23 of the Zoning Ordinance as proposed. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. Planning Commission Recommendations:

2a. Petition 01-491 - Lee Marshall - Conditional Use Permit to operate auto repair shop per §170-34 of the Appomattox County Zoning Ordinance. Property is located on Rt. 615 between Route 686 and Route 616, Tax Map #19(2)3, and is zoned A-1.

Mr. Carter made a motion seconded by Mr. Moore to approve Petition 01-491 - Lee Marshall for a conditional use permit to operate an auto repair shop subject to conditions proffered by Mr. Marshall in addition to the following conditions:

Hours of operation are limited to 8:00 a.m. to 5:00 p.m. weekdays

Conditional use permit shall lapse in the event that Mr. Marshall sells the property or business.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock not present.

2b. Request for Subdivision plat waiver: Mr. Thomas Wynn has requested a waiver to the subdivision ordinance for a family members.

Mr. Carwile made a motion seconded by Mr. Moore to honor the request by Mr. Wynn to waive the subdivision ordinance for a family member exception lots must have direct and exclusive right-of-way to a state road. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock not present.

2c. A-1 Intensive Livestock Ordinance: Revision to Intensive Facilities With Two or More Livestock Types, Section 170-132 - Lot area and yard requirements.

Mr. Carwile made a motion seconded by Mr. Carter to support the recommendation that a public hearing be scheduled to receive comments on this revision to the Intensive Livestock Ordinance as proposed. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock not present.

2d. M-2 Planned Industrial Park District: The Appomattox County Industrial Development Authority has requested changing the "M-2" designation for the planned industrial park district to "M-IP" as M-2 generally refers to heavy industrial districts and this could be confusing to potential park prospects. This change does not require a public hearing.

After some discussion Mr. Kendrick made a motion seconded by Mr. Carter to approve the Planning Commission recommendation to change the Zoning Name Change from "M-2" to "M-IP" for the industrial park as requested by the I.D.A. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock not present.

3. Biosolids Meeting: The Planning Commission suggests that the Board of Supervisors and the

Planning Commission discuss this issue at the December 17th meeting and have the County Attorney present to address any legal or possible litigation issues that may arise. Also does the Board wish to move the meeting to a larger facility.

On a motion by Mr. Kendrick seconded by Mr. Carwile the Board recommended that the Biosolids issue be discussed at the December 17th meeting at the Courthouse and that the County Attorney be present. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock not present.

4. BOARD APPOINTMENTS:

a. Planning Commission:
If Joint Planning Commission code revision is acted upon at tonight's meeting, an appointment is necessary for the Falling River District.

By consensus, the Board tabled this issue to a future date.

b. Current Appomattox Elementary School Committee:
Pursuant to the joint meeting held with the School Board on November 26th, the Board needs to appoint a Board member and a citizen to serve on this committee.

The Board would like to have a citizen from each district to serve on this Board, however, this needs to be discussed with the School Board.

This issue was tabled until such time as we can confirm with the School Board that a citizen will be appointed from each district.

5. Regional Hazardous Materials Response Team:
Kimball Payne, Lynchburg City Manager, is requesting that the state recognize the Lynchburg Fire and EMS Department as a Regional Hazardous Materials Response Team. Lynchburg would appreciate a letter of support on behalf of this effort.

By consensus, the Board agreed to have Mr. Carroll send a letter of support to Department of Emergency Services supporting the designation of the Lynchburg Fire and EMS Department as a Regional Hazardous Materials Response Team.

6. County Welcome Signs:
Staff has submitted a memorandum outlining the process that they have taken to pursue this project in accordance with the grant application approved by the Board. Also submitted are three conceptual designs for these signs. County Administrator is requesting that the Board consider the following:

1) Award the contract to Signs, Logos & More based upon their firm price and past performance.
2) Review the attached conceptual designs for the welcome signs and provide staff with instructions on whether to proceed with a particular design, to get additional designs developed, and/or any other input on the design that the Board wishes to receive.

After some discussion the Board by consensus agreed to award the contract for the County Welcome Signs to Signs, Logos & More in the amount of $26,305 for five (5) county entrance signs.

The Board also agreed on the rectangle designed sign.

Mr. Kendrick next presented the **Consent Agenda: (items 7-15)**

7. **Approval of Bills:** Bills for the Month.

8. Approval of Minutes: Minutes of Regular Meeting on November 5, 2001 and Public Hearing on November 19, 2001.

SUPPLEMENTAL APPROPRIATIONS:

9. Social Services: Mr. Martin is requesting an additional $4,400.00 in local funds to match State funds for a total supplemental appropriation of $32,000.00.

10. Refund: Please Supplement line item 1209-5803 - Refund by $4,687.50 to Jamerson Brothers Trucking for taxes paid over the past several years that were also taxable in other states. The Board has approved supplements to this line item in the past for the same reason.

LINE ITEM TRANSFERS:

11. Landfill: Mrs. Rockefeller is requesting to transfer $11,000.00 from 4240-3002 Professional Services to 4204-3004 - Repairs/Maintenance to pay for forks on 973 loader.

12. Health Insurance: Line Item transfers to cover increase of Employee Health Insurance Premiums. The Health Department will issue a check for $6,898.00 of local funds they owe the County and will be supplemented to line item 5150-5800 upon receipt.

From:	1101-2005	$17,500.00	(Blue Cross by County)
	1101-1005	$ 6,667.00	(Salary Study Adjustment)
	5101-5800	$ 6,898.00	(Health Department)
	1101-3002	$ 2,745.00	(Professional Services)
Total		**$33,810.00**	

To:			(# employees)
1201-2005	$ 2,415.00	(County Administrator)	5
1209-2005	$ 2,415.00	(Commissioner of Revenue)	5
1213-2005	$ 1,932.00	(Treasurer)	4
1302-2005	$ 483.00	(Registrar)	1
2106-2005	$ 1,932.00	(Clerk of Court)	4
2107-2005	$ 483.00	(Sheriff)	1
2201-2005	$ 966.00	(Commonwealth Attorney)	2
3102-2005	$14,007.00	(Sheriff)	29
3103-2005	$ 966.00	(Sheriff)	2
3104-2005	$ 966.00	(Sheriff)	2
3401-2005	$ 483.00	(Building and Housing)	1

3501-2005	$ 483.00	(Animal Control)	1
4203-2005	$ 966.00	(Landfill)	2
4204-2005	$ 2,415.00	(Landfill)	5
4302-2005	$ 1,449.00	(General Properties)	3
7102-2005	$ 966.00	(Parks and Recreation)	2
8104-2005	$ 483.00	(Zoning and Subdivision)	1
Total Amount	**$33,810.00**		

BOARD APPROPRIATIONS:

13. Livestock Damage Claim: Please appropriate $100.00 from 3501-5802 to pay a livestock kill claim for Tommy O'Brien.

14. Property & Liability Insurance: Cabell Insurance has submitted premiums for renewal of County's insurance. This represents a 6.8% increase over last year. Approval of Consent Agenda will approve renewal of insurance with Cabell.

15. Courthouse Maintenance: Please transfer $1,020.11 from the Courthouse Maintenance fund to the general revenue fund to pay for plaster repairs to courthouse wall. Final billing was greater than expected due to time involved in setting up scaffolding and repair to a larger area than originally anticipated.

Mr. Carter questioned one item on the expenditure sheets and Mr. Carroll explained this to his satisfaction.

Mr. Kendrick made a motion seconded by Mr. Carter to accept the Consent Agenda as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye; Mr. Hancock not present.

Mr. Kendrick then presented the **INFORMATION ITEMS:** (Items 16-19):

16. School Financial Report: Financial report for January, 2002.

17. Administrative Update: Administrative Update for November.

18. Town of Appomattox Agenda: Town agenda for November 17th Council meeting.

19. **Nesbe Cable Update:** Update from Nesbe regarding upgrades to the Cable station. Mr. Danny Job will be available for the December 17th meeting if the Board still desires to have him appear.

Mr. Carter had some comments on the upgrades to the Nesbe Cable Network.

Also Mr. Carter asked if another date had been set for a joint meeting with Town Council.

Mr. Carroll asked if there were any questions regarding the Administrative Update.

Mr. Kendrick reminded everyone of the upcoming meetings:
December 6, 2001 - 6:00 P.M. Fireman's Dinner - Old Frozen Food Locker
December 17th, 2001 - 6:00 P.M. Board Meeting - Courthouse

At 9:37 p.m. Mr. Moore made a motion seconded by Mr. Kendrick to adjourn. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Carwile, aye; and Mr. Moore, aye. Mr. Hancock not present.

Jerry Kendrick, Chairman

On Monday, December 3, 2001 the Appomattox County Board of Supervisors held a joint Public Hearing with the Virginia Department of Transportation at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 6:01 p.m. Mr. Kendrick opened the Public Hearing on the Annual VDOT 6 Year Plan and Secondary Road System. Mr. Kendrick then turned the meeting over to Mr. Don Austin, Resident Engineer, Appomattox Residency Office, VDOT.

Mr. Austin began by introducing his staff:
Milton Thacker - Assistant Resident Engineer
Don Harvey - Maintenance Manager
Cathy Arrington - Contract Administrator

Mr. Austin began by stating this would be a combined hearing of the Six Year Plan and also for the budget for the upcoming year 2002-2003.

Mr. Austin briefly described the Six Year Plan and the unpaved road priority list. This list is developed with the assistance of the Board of Supervisors. Mr. Austin discussed the estimated allocations summary. This is just an estimate of allocated funds. There will probably be some cuts in the allocation funds due to the shortfall of revenues expected.

Mr. Austin also explained the secondary system construction program, and how to read the charts presented.

Mr. Austin called for questions on this portion of the plan. None were asked.

Mr. Austin asked for requests for improvement to existing roads.

No one was present seeking improvements for existing roads.

Mr. Austin moved to requests for new additions to the priority listing.

Mr. Herman Thomas of Brandonwood Lane, located off Route 669 stated he was representing the eleven (11) homeowners on this road. They are requesting that formal action be taken to include Brandonwood Lane in the secondary road system and that VDOT maintain this road. They believe they are eligible for the following reasons:

- Road was built prior to July 1, 1990 and was approved by the County of Appomattox in July 1989. This was the second part of the road. The first part has been in existence since 1970. (Mr. Thomas had aerial photographs from 1970);
- This road is available for public use seven days a week, 24 hours a day.
- There is an existing 50' right of way and there are presently 11 homes located there and room for three (3) more.
- The road is presently connected to State Route 669 which is already maintained by VDOT.
- Mr Thomas passed out copies of the aerial photographs from 1970. Mr. Thomas explained he had highlighted the road where it ran from Route 669 to Route 608 and that it had been in existence for a long time.

Mr. Thomas concluded by again requesting that this road be included in this year plans.

Mr. Austin explained the process of reviewing the road to determine eligibility and the Road Viewers will physically review the road in the Spring of next year.

Mr. Austin asked for other questions. Hearing none he turned the meeting back over to Mr. Kendrick.

Mr. Kendrick closed the VDOT 6 Year Plan Public Hearing at 6:20 P.M.

Jerry G. Kendrick, Chairman

On Monday, December 3, 2001, at 6:20 p.m. the Appomattox County Board of Supervisors held a Public hearing for the Proposed Modification to the Appomattox County Zoning Ordinance at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry G. Kendrick , Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 6:20 p.m. Mr. Kendrick opened the public hearing and stated the purpose of the hearing was to receive comments from the public concerning the proposed changes to the zoning ordinance as it relates to two (2) dwellings on a lot Section 170-32 of the Appomattox County Code.

Mr. Kendrick asked if there was anyone who wished to comment for or against this proposed amendment.

Hearing none, Mr. Kendrick closed the public hearing at 6:22 p.m.

Jerry G. Kendrick, Chairman

On Monday, December 3, 2001, at 6:22 p.m. the Appomattox County Board of Supervisors held a Public hearing for the Proposed Modification to the Appomattox County Zoning Ordinance at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry G. Kendrick , Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

At 6:22 p.m. Mr. Kendrick opened the Public Hearing and stated the purpose of the public hearing was to receive comments from the public on the Proposed Changes in the Membership of

the Joint Planning Commission, Section 30-1 of the Zoning Ordinance. The purpose of this change is to provide additional flexibility in appointing and retaining planning commissioners that the current ordinance lacks.

Mr. Kendrick called for comments on the proposed ordinance change.

Hearing none, Mr. Kendrick closed the hearing at 6:23 p.m.

Jerry G. Kendrick, Chairman

On Monday, December 17, 2001 at 6:00 P.M. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Jerry G. Kendrick, Chairman - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator
Brandon Stidham - County Planner

Mr. Kendrick opened the meeting at 6:00 p.m. and asked Mr. Hancock to give the invocation.

Mr. Kendrick then invited Mr. Danny Jobe, NESBE Cable General Manager to inform the Board of the improvements NESBE was making in order to better serve the residents of Appomattox.

Mr. Jobe stated the work on the west side of the county had already been completed and things were running a little behind schedule due to the couple of rainy days last week but everything would be completed on schedule. He also stated he would be glad to answer questions anyone may have.

Mr. Carter wanted to know if the new scheduled line-up would be the same as Campbell County with the basic channels (2-56) being the nominal rate of $36.95. Also if you wished to add other options such as the Music Choice 900 Series, how many of these would you get for the additional $8.95.

Mr. Jobe stated the nominal rate of $36.95 would get you the basic channels 2-56 and for the $8.95 additional fee for Music Choice you would get all of them in addition you get the digital basic and access to the pay-per-view.

Mr. Carter congratulated Mr. Jobe on this and stated he was very glad to see the update.

Mr. Hancock commented on the bad picture view on the Route 604 area.

Mr. Jobe stated the Route 727 area had been the worst they have had due to the amount of underground cable. They have taken steps to solve this problem and now have less underground cable than previously.

Mr. Carwile had some questions regarding the "enhanced" wording and exactly what it meant, could they take on phones with this system and questions regarding downtime.

No phone service had been planned at this time, but high speed digital internet access - broad band will be available. Down time will be greatly reduced with the new improvements in place. Internet charge will be $39.99 per month with modems being available for rent at a rate of $9.95 per month or the customer could purchase a modem for approximately $99.00. They usually recommend the purchase of the modem.

NESBE is presently contacting customers with premium choices regarding the installation of a digital converter.

Mr. Kendrick thanked Mr. Jobe for appearing.

Mr. Kendrick presented Mr. Carwile and Mr. Moore with a plaque from the Virginia Association of Counties for 10 years of service to the County of Appomattox as Supervisors.

Mr. Kendrick next called for **Supervisors Concerns:**
Mr. Carwile stated that he has had several negative responses from citizens regarding the new Entrance Signs discussed at previous meetings and vote on accepting the staff recommendations for the replacement of these signs at the last meeting.

Mr. Carwile would like the Board to rescind this vote and have this placed on the Agenda for another meeting, as some citizens think these signs should have a more historic design.

A couple more Board members had received comments also and some felt a committee should have been formed to look into this matter.

Mr. Carwile also would like to know how each Board member feels about the Courthouse situation and if they would like to be open with the public and give justified reasons to why they feel as they do regarding this issue.

Mr. Moore feels that he has already said what he felt and has made his thoughts known. He has not changed his mind regarding this issue.

Mr. Carter is thinking in terms of what is best for the taxpayers. The board did not ask for this litigation but we are in the middle of it. He believes we are on the right trail and that any further

expenditures have come to a close until January. The main point is "what is best for the County" and this is the feeling of each board member.

Mr. Hancock thinks "what is best for the County" should be done. Renovate or new. If renovation is for only about 15 years, then we should not renovate. If it is cheaper to build new, then build new.

Mr. Carwile stated that at the present time we do not know how the impending court action will end, it is unknown. He is assuming that he has received the same information that everyone else has received and he has put a lot of time into digesting this information. Based on this information, he wants to go on the record as looking at the long range. He feels in order to bring the Courthouse into compliance it will be more expensive to renovate than to build a new courthouse across the street. This board needs to come together and make some concessions to see if we can put a halt to all of the ongoing costs. He also feels that Judge Poston will make the right decision for the taxpayers.
Mr. Kendrick feels the same as the rest, what is best for the County. No one wanted this issue to go into litigation. They were not defiant and did try to do everything within their means to please the judges. He stated that regarding some recent newspaper articles he knew some had their feelings hurt, but this was not the intention. He was not being critical of anyone in a financial position, he was only trying to do several projects with the minimal amount of money. He is sorry if his remarks hurt anyone, he was only trying to say that they had handled a lot of projects in a short time in difficult financial situations. It is his desire for the judges to have a good and safe place to hold court but it is also his desire that the children of the county have a healthy environment for learning. He is willing to compromise within reason.

Hearing no other comments or concerns, Mr. Kendrick moved to the **ADMINISTRATIVE ITEMS: (1-8)**

1. Tobacco Grant: The Administrative Staff has proposed that the Board consider making application for county targeted funds to perform a feasibility study on the creation of a Workforce Development Center and evaluation of potential options for increasing information technology infrastructure.

Mr. Carter feels we should secure all grants that are available and he is in favor of making this application.

Mr. Carter then made a motion seconded by Mr. Kendrick to proceed with the Tobacco Grant application as written. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

2. Erosion & Sediment Control Ordinance: The Board has received a proposed erosion and sediment control ordinance which will amend the current ordinance to effect changes in legislation and increased monitoring of local programs by state agencies, in particular the Department of Conservation and Recreation. If the Board feels this proposed amendment is satisfactory, a public hearing can be held on January 22nd, 2002.

Mr. Carter questioned why there are two (2) sets of plans and is page 10 a part of the ordinance.

Mr. Carroll explained that one set was for the plan reviewer, Robert E. Lee Soil and Conservation and one set is kept on file. Pages 10-12 is a summary of, not part of the actual ordinance amendment.

Mr. Moore made a motion seconded by Mr. Carter to accept the Erosion and Sediment Control Ordinance as written and schedule a public hearing for January 22nd, 2002. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

3. Board of Zoning Appeals: Proposed ordinance regarding the Joint Board of Zoning Appeals with the Town of Appomattox. The joint BZA was created by resolution instead of an ordinance and this action will correct that. A public hearing will be necessary and can be held on January 22nd. 2002.

Mr. Carter had a question regarding Section C. Rules of Procedure, item 2: Does the Board of Supervisors receive a copy of these proceedings.

According to Mr. Stidham, they do not, but can be easily accessed if necessary.

On a motion by Mr. Kendrick seconded by Mr. Hancock a public hearing will be held on January 22nd, 2002 to receive public comments on this ordinance. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

4. Regional Commission: The Regional Commission has submitted a draft resolution for the Board's consideration regarding changes to the by-laws. These changes would alter the make up of the Executive Committee to include all localities.

Mr. Kendrick asked Mr. Carroll to explain this resolution.

Mr. Carter feels this is a very good document and he is in support of it because it will allow every locality to have representation on the Commission's Executive Committee.

Mr. Carter made a motion seconded by Mr. Kendrick to adopt the resolution regarding the changes in the Regional Commission by-laws as follows:

Whereas, the Region 2000 Regional Commission has proposed a change to the by-laws, specifically Article VII - Section 1, in the makeup of the current Executive Committee, and

Whereas, the Commission is proposing the Executive Committee be expanded in order that all localities may be represented on the Executive Committee, and

Whereas, the Commission is proposing to add those elected officials, or their designated alternate who must be a Regional Commission member, that are currently not serving on the Executive Committee, and

Whereas, the current Executive Committee office structure will remain in place which consists of

the chair, vice chair, immediate past chair, past chair, treasurer, and secretary, and

Whereas, the Commission also proposed a change at its October 17, 2001 meeting to include under Article VII, Section 1a, that six (6) voting members of the Executive Committee would constitute a quorum,

Now therefore be it resolved that Appomattox County Board of Supervisors hereby approves the proposed changes recommended by the Region 2000 Regional Commission to Article VII - Committees, Section I - Executive Committee and Section I a. to read as shown on the attached:

PROPOSED CHANGES TO REGION 2000 REGIONAL COMMISSION BYLAWS

ARTICLE VII - COMMITTEES

Section 1 - Executive Committee

The Commission shall have an Executive Committee, consisting of the four officers of the Commission and the immediate past chair and the second past chair. In the event the past chairs are no longer Commission members, substitute appointments will be made by the chair. In addition to the officers identified and the two past chairs there shall also be one member from each of the localities not otherwise represented on the Executive Committee. The intent is that all Region 2000 localities be represented on the Executive Committee by an elected official or their designated alternate, who shall be a Commission member and represent the locality that they serve. The Executive Committee shall exercise such powers as the Commission may determine, provided that these powers are not inconsistent with the provisions of the Regional Cooperation Act, and which shall deal with all matters not specifically delegated to a standing or special committee.

ARTICLE VII - COMMITTEES

Section 1a

A quorum of the Executive Committee shall consist of six voting members of the Committee.

VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

5. Regional Reassessment: The Regional Commission is preparing to issue a Request for Proposal for regional reassessment services. The Board's participation in the Request for Proposal process does not commit the Board to use the regional assessment.

After some discussion, Mr. Kendrick made a motion seconded by Mr. Carter to notify the

Regional Commission of Appomattox County's participation in the Request for Proposal process for regional reassessment services, but not committing to the use of the regional assessment at this time. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

6. Zoning Amendment Change: Proposed changes in Zoning Ordinance Section 170-23 - Two Dwellings on One Lot as a Permitted Use as proposed by the Planning Commission and Public Hearing held on December 3, 2001.

Mr. Carter stated if he understands this correctly, this is something that has been talked about for a long time and deals directly with the issues and concerns.

Mr. Moore made a motion seconded by Mr. Carter to adopt the proposed change to Section 170-23 of the Appomattox County Zoning Ordinance - Two Dwellings on One Lot. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

7. Board Appointments:
   a. Industrial Development Authority: Two members of the IDA terms will expire on December 31, 2001. Mr. Bill Slagle is willing to serve another term if re-appointed. However, Mr. Leon Turner does not wish to be re-appointed. The IDA wishes to offer up Mr. Wayne Lewis for consideration and Mr. Bill Slagle for re-appointment. Both of these are 4-year terms which will expire on December 31, 2005.

On a motion by Mr. Moore, seconded by Mr. Hancock, Mr. Bill Slagle and Mr. Wayne Lewis were appointed to the Industrial Development Authority for a four-year term to expire on December 31, 2005. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

   b. Planning Commission: This Commission needs an appointment from the Falling River District.

Mr. Hancock made a motion seconded by Mr. Carter to appoint Mr. Al Sears to the Planning Commission as the representative from the Falling River District. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

   c. Board of Equalization: Mr. Gary Tanner and the two alternates previously recommended to serve on this Board will be unable to serve due to prior commitments and/or scheduling conflicts. Therefore, a representative from the Wreck Island District and an alternate need to be appointed.

Mr. Carwile made a motion seconded by Mr. Carter to appoint Mr. John Fitch as the representative from the Wreck Island District and Ms. Nina Beasley as an alternate to serve on the Board of Equalization. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

8. Revenue Maximization: This is a program that allows localities to work with the Virginia Department of Social Services to access additional federal funds to provide prevention services for youth. In order to participate the Board needs to: 1) Authorize the County Administrator to sign an Agreement between the County of Appomattox, Virginia and The Virginia Department of Social Services regarding Local Government Expenditures in Support of Federal Programs Administered by the Virginia Department of Social Services; and, 2) Designate the local CPMT Committee (Community Policy Management Team) as the group to develop a strategy for using these funds for preventative purposes and to implement the strategy.

Mr. Carter stated this was a program that was very much needed in our County and he is in favor of endorsing it.
Mr. Carter made a motion that Appomattox County participate in the Revenue Maximization program and to authorize the County Administrator to sign the Agreement between the County of Appomattox and the Virginia Department of Social Services regarding local government expenditures in support of federal programs administered by Virginia Department of Social Services and designating the local CPMT Committee as the group to develop a strategy for using these funds for preventative purposes and implementing the strategy. Motion seconded by Mr. Carwile. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick then called the Board's attention to the **Consent Agenda: (Items 9-18)**

9. Approval of Bills: Bills for month. Mr. Carroll stated the need to make the last payment on the '91 Landfill General Obligation Bond in the amount of $257,125.00. This bill was sent to the wrong address and was received today.

10: Approval of Minutes: Minutes for Regular Meeting of November 19, 2001; and Joint Meeting of Board of Supervisors and School Board of November 26, 2001.

SUPPLEMENTAL APPROPRIATIONS:
Mr. Carroll informed the Board of corrections necessary to 13a and 13b as well as the addition of the Landfill Bond payment. Minutes reflect these changes.

11. Library: 7301-5401 - Office Supplies - $145.59 and
7301-5411 - Books - $420.98

12. Sheriff's Department: 3107-7001 - Equipment - $3,000.00 for DMV Mini-Grants.

BOARD APPROVALS:
13. Courthouse Renovation Project:
a. Hurt & Proffitt: Engineering site work approve by the Board:
4302-7009 - Capitol Improvements - $2,370.00; and
4302-7009 - Capitol Improvements - $3,300.00.

b. Craddock-Cunningham Architectural Partners:
4302-7009 - Capitol Improvements - $63,244.70 (construction document work)
1101-3002 - Professional Services - $2,223.23 (Courthouse litigation).

14. Reassessment: Final payment to Tri-County Appraisals - $12,684.00.

15. Comprehensive Services Act: Appropriate $8,025.00 from the CSA Administration account to the general fund to fund payment to Campbell County for providing CSA administration services.

16 **Trans Dominion Express:** $500.00 budgeted for participation in this. County has participated in the last several years.

17. America's Promise: America's Promise is seeking a donation of $400.00 for its annual Community Celebration. This request was not budgeted and has been denied in past years.

LINE ITEM TRANSFER:

18. Library: Please transfer the following:
$732.32 from 7301-7001 - Equipment to 7301-3002 - Professional Services
$ 96.61 from 7301-5416 - Video to 7301-5411 - Books

Mr. Carwile questioned item 13b. Mr. Carroll explained these expenses were incurred prior to the suspension of work on the Courthouse.

Mr. Kendrick made a motion seconded by Mr. Moore to accept the Consent Agenda as presented. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Kendrick next presented the **Informational Items (items 19-25)** for the Board's convenience.

19. Landfill Inspection Report: DEQ Inspection report for the Landfill and Emanuel Tire inspection conducted on November 20,2001.

20. Letter from White House: Thank you for letter of support of President in response to September 11, 2001 incident in New York.

21. Letters Regarding Legislative Agenda: Letters from Senator Ruff and Delegate Abbitt regarding our submitted legislative agenda.

22. Audit Report on Clerk's Office: Report from Auditor of Public Accounts regarding audit of Clerk's Office.

23. Porter House Road: Letter from Central Virginia Electric Cooperative concerning improvements to Porter House Road.

24. Information from C. W. Williams Regarding Biosolids: Memo regarding activities in opposition to the land application of Biosolids during the last year.

25. Town Council Agenda: Town Council Agenda for December 10, 2001.

Upcoming Meetings: Monday, January 7, 2002 at 6:00 p.m. - Organizational Meeting.

Mr. Kendrick stated there needed to be a Closed Session in accordance with § 2.2-3711.A.1 of the Code of Virginia, to discuss a personnel matter.

At 6:58 p.m. Mr. Kendrick made a motion seconded by Mr. Carter to enter into a Closed session in accordance with §2.2-3711.A.1 of the Code of Virginia. VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:35 p.m. on a motion by Mr. Moore seconded by Mr. Carter the Board returned to regular session. Mr. Kendrick read the following statement.

Whereas, this Board convened in a closed meeting under §2.2-3711.A.1 Of the Code of Virginia for the purpose of discussing a personnel matter.

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

I call the questions: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 7:36 P.M. Mr. Kendrick stated there would be a joint meeting with the Appomattox County Planning Commission regarding the Land Application of Biosolids.

PRESENT (Planning Commission):

Al Sears
Kevin O'Brien
John Wilson
Robert Johnson
Jerry Hughes
Steve Conner
Jim Sefter
Susan Hudson
Marvin Mitchell

ALSO PRESENT: Ann Neil Cosby, Attorney - Sands, Anderson, Marks & Miller

The Joint Meeting of the Planning Commission and Board of Supervisors was called to order by Chairman Kendrick at 7:40 PM. Ann Neil Cosby of Sands, Anderson, Marks & Miller was present to discuss biosolids regulation at the local government level, and to answer questions from Board members and commissioners on the subject.

Ms. Cosby opened with an overview of the current status of local ordinances and litigation around the state, including providing some background information on biosolids and the state permitting process.

Ms. Cosby stated that the Biosolids Use Regulations require compliance with all local zoning provisions before a state permit may be issued, and that localities have some zoning and police powers available to regulate the process. She noted that Buckingham County was one of the first localities sued because their ordinance required nutrient management plans to be submitted to a local coordinator and the notification provisions were stiff. Buckingham County's Board of Supervisors later amended their ordinance to remove the nutrient management plan requirement. Louisa County was another locality sued over their ordinance, which required a county coordinator to review nutrient management plans and allowed the coordinator to establish greater setbacks or buffers. The Louisa ordinance also required land application to be delayed if a community or social event were being held nearby, mandated notification signage as well as posting a bond with the county. The District Court approved an injunction that held the ordinance in abeyance pending litigation, which allowed Synagro to commence land application. The only other known litigation involves Spotsylvania County. Spotsylvania's ordinances (zoning ordinance and police power ordinance) limit land application to specific agricultural/forestal districts, and by special use in other agricultural districts. There are also additional information requirements above and beyond the state permit provisions, and the zoning administrator has the ability to determine whether the application is complete. Synagro is also the complainant in the Spotsylvania case. Vice Chairman O'Brien asked whether Spotsylvania County's ordinance was drafted with the Chesapeake Bay Act in mind. Ms. Cosby said that the county's zoning districts– in particular the River Protection Overlay District– contains Chesapeake Bay Act requirements.

Ms. Cosby concluded her discussion of the litigation by stating that the Buckingham County case has pretty much been settled, but that the Louisa and Spotsylvania County cases are pending. She then opened the floor for questions. Mr. Carwile asked about a bill to be introduced before the upcoming session of the General Assembly that is designed to resolve some of the Dillon Rule and Right-to-Farm Act issues. Ms. Cosby replied that in the Amelia County case several Dillon Rule and Right-to-Farm Act arguments were presented by both sides, but the Supreme Court decision did not address any of the arguments. She added that she does not know of any particular legislation on this topic, but that the General Assembly would have to be the entity to clarify these issues. Chairman Sears emphasized that every county that has tried to regulate in these issue areas has ended up being sued.

Mr. Sefter asked whether the Amelia County case and subsequent litigation will have any effect on the intensive farming ordinance that the Commission has been preparing, but Ms. Cosby did not have an answer. Mr. Carwile noted that a reimbursement system for local monitoring programs is slated to be in place by 2003, but wanted to know whether the county should move

forward with passing an ordinance now or wait for the reimbursement system to take effect. Ms. Cosby responded by stating that the reimbursement system will not make the regulations more stringent, but only allows localities to assist in monitoring. Mr. Carwile then asked whether land application could be limited to Class A biosolids. Ms. Cosby replied that since the regulations allow Class B biosolids to be land applied, a county cannot prohibit it. Mr. Carwile added that localities should be able to impose its own restrictions so long as they are reasonable. Ms. Cosby said that this is the fine line that exists in this matter– what is "reasonable?" She added that some jurisdictions are working on ordinances that allow contractors to be charged fees for their own monitoring programs.

Chairman Kendrick asked whether local monitoring means that the local government would become an extension of the Virginia Department of Health, and would not enable application of more stringent regulations. He added that trying to pass an ordinance with stronger regulations would inevitably result in litigation, and that voicing the county's opposition to the General Assembly is the extent of the action that can be taken at this point. Mr. Sefter said that it seems as though the counties have no authority in regards to this issue. Chairman Sears added that the more regulations you pass, the greater the likelihood for litigation.

Chairman Kendrick asked what the point of the local ordinance is if it cannot be used to restrict land application activities. Chairman Sears said the Commission developed an ordinance that uses restrictions that would be least likely to result in litigation. Mr. Wilson stated that the county could likely be held liable in the event that they adopted and enforced an ordinance, and an accident occurred in conjunction with permitted land application. Ms. Cosby noted that this could theoretically happen but as a practical matter would not occur. Chairman Kendrick asked again whether there has to be an ordinance if it cannot provide adequate restrictions. Chairman Sears said that you can tighten up some limited areas, so a local ordinance could be useful.

Mr. Sefter asked if the county could obtain an injunction to prevent all land application until the county is properly equipped and trained to inspect and monitor biosolids. Chairman Kendrick also wondered whether we could make reasonable requirements such as mandating soil injection that would not bar a contractor from land applying. Ms. Cosby replied that the Amelia County case clearly states that land application can occur in any manner consistent with their state permit, and that no local regulations can override an activity permitted by the state.

Ms. Cosby then stated that localities should bring their concerns to the VDH public hearing to come up with changes, but said that VDH does not have to take any of the locality's recommendations. She also noted that counties could modify their zoning ordinance by imposing setbacks and conditions where agricultural uses are by right. Mr. Conner asked whether she meant setting up an Agricultural-Residential or similar district with more restrictions than the typical A-1 district, and she replied yes. Vice Chairman O'Brien noted that using the zoning ordinance could allow applications to be reviewed on a case-by-case basis.

Mr. Wilson noted that the best solution may be to find a way to allow only Class A biosolids because the smell and pathogens are greatly reduced. Mr. Conner said you may be able to use Chesapeake Bay Act provisions to keep land application away from water. Mr. Sefter asked what

the penalty would be to contractors for noncompliance or permit infraction. Ms. Cosby said that it would probably be handled as an agency violation which could result in the state revoking a permit.

Mr. Wilson asked about fees charged in counties where land application is occurring. Ms. Cosby replied that localities receive no funds now from the state for their own processes, and cannot issue their own permits. Mr. Carter asked Ms. Cosby's opinion on the Commission's draft ordinance. She replied that the ordinance's strength is that it gathers information before the permit is issued, allowing the locality to comment to VDH. Vice Chairman O'Brien said that land application has been occurring for thirty years, and that there is substantial research and case study on hand. Mr. Carter noted that even with thirty years of experience, even EPA will not endorse land application.

Mr. Moore asked what the issues were that triggered each one of the lawsuits against localities, as he does not feel that the contractors doing the spreading would be concerned about additional setback requirements so long as they are able to spread the biosolids somewhere. Ms. Cosby replied that the Spotsylvania County case was triggered by the implementation of a special use process. She added that other cases were triggered by signage requirements, transportation routes or schedules, and insurance requirements. She has not seen any conflict over general zoning requirements. Mr. Moore would like to know the triggers so that we can stay away from those types of regulations. He has also added that he has not experienced any problems with the haulers that travel past his home on a frequent basis.

Mr. Conner asked about how many permits have been applied for in Appomattox, and several of the members answered around 10. Mr. Carwile asked how the county could protect its watersheds from biosolids contamination. Ms. Cosby answered that zoning ordinances could be used. Mr. Conner noted that the problem with Appomattox County is that only half of the county drains into the Chesapeake Bay watershed. Ms. Cosby said additional setbacks could be established and Chesapeake Bay Act elements adopted. Vice Chairman O'Brien stated that with the Chesapeake Bay Act, you may end up with additional regulations that may not be desirable. Mr. Carroll noted that the Board of Supervisors expressed concerns and opposition within its legislative agenda of the expansion of the Chesapeake Bay Act. The Clerk noted that Chesapeake Bay Local Advisory Board recently advised that if the Act is expanded to this region, a different set of standards should be adopted that reflect the level of impact the region has on the Bay.

Chairman Kendrick then asked the Commission whether anything had been brought up in this meeting that would cause them to change their recommended ordinance. Vice Chairman O'Brien asked how hauling routes were represented in the ordinance, and the Clerk stated that it was an item addressed on a case-by-case basis when the Commission makes recommendations on each permit application. Chairman Sears noted that the members had looked at a business license approach, but that there was uncertainty about whether it could be used specifically for biosolids contractors. Mr. Kendrick said that the Board should focus on looking at which provisions are not triggering points for litigation, but as a whole he feels as though there is not much more that can be done. Mr. Carwile noted that the Commission's ordinance was too lenient and that more restrictions need to be incorporated. Mr. Kendrick did not know if there were areas that could be

tested, but right now feels that provisions that have not been challenged in court should be included.

The Joint Meeting was adjourned at 8:55 PM by Chairman Kendrick, seconded by Mr. Carter: VOTE: Mr. Kendrick, aye; Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Sefter moved to adjourn the Planning Commission meeting, Mr. Hughes seconded, and all voted AYE.

Jerry G. Kendrick, Chairman

The Organizational Meeting of the Appomattox County Board of Supervisors was held on Monday, January 7, 2002 at 6:00 P.M. at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, VA.

PRESENT: Jerry G. Kendrick - Appomattox River District
Samuel E. Carter - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

ALSO PRESENT:
Andy Carroll - County Administrator

This being the Organizational Meeting, the County Administrator called the meeting to order at 6:00 P.M. and asked Mr. Carter to deliver the invocation.

Mr Carroll called for nominations for Chairman of the Board for 2002, stating there was a procedure outline for nominations on page 1 of the Board Book.

Mr. Hancock nominated Mr. Carter for the position of Chairman for the upcoming year.

Hearing no other nominations for Chairman, Mr. Carroll called for a vote on the nomination of Mr. Carter for Chairman. VOTE: Mr. Kendrick, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye, and Mr. Carter, aye.

Mr. Carroll stated that on a vote of 5 to 0, Mr. Carter was elected the Chairman for the upcoming year.

Mr. Carroll then turned the meeting over the Mr. Carter.

Mr. Carter called for nominations for Vice Chairman for the upcoming year.

Mr. Carwile nominated Mr. Hancock for the position of Vice-Chairman.

Mr. Kendrick nominated Mr. Moore for the position of Vice-Chairman

Mr. Carter called for a vote on the nomination of Mr. Hancock as Vice-Chairman. VOTE: Mr. Carwile, aye; Mr. Moore, aye, and Mr. Hancock, aye.

Mr. Hancock having received the majority (3) votes, there was no nay vote called for. Mr. Hancock will be the Vice-Chairman for the upcoming year

Mr. Carter then thanked Mr. Kendrick for a job well done last year as Chairman of the Board, at a time when the table was full. The Board had a lot of events that happened and Mr. Kendrick's leadership was the reason they survived and continued down the road of doing business for the County with constructive and citizenship approval.

Mr. Carwile also thanked Mr. Kendrick for doing a fine job as Chairman, there were times when we had to make hard core decisions and could not satisfy everyone but our intent in the end was to do what was best for the majority of the citizens and the betterment of the County.

Mr. Carwile also stated he would be available to assist the new Chairman in any way possible and to support him during the upcoming year.

Mr. Carter asked if the Board Members wished to continue meeting at 6:00 p.m. on the 1st and 3rd Monday of each month or if they wished to change the date and time for the next year.

After some discussion, Mr. Carwile made a motion seconded by Mr. Hancock to continue meeting on the 1st and 3rd Monday of each month with a time change to 6:30 P.M. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter asked if there were any additional changes the Board wished to make at this time.

Mr. Carwile stated that he felt Supervisor Concerns should be moved to the end of the meeting as this sometimes get to be a lengthy discussion.

Mr. Carter was inclined to agree.

The Board by consensus agreed to move the Supervisors' Concerns to the last item of the agenda for future meetings.

Mr. Carter presented the next item on the agenda: **Supervisor's Concerns:**

Mr. Carwile stated he had three things to discuss:.
#1 - Entrance Signs: Mr. Carwile feels that the Board was a little hasty in making the decision

to erect new Entrance Signs at the County boundaries. He has had quite a few calls regarding the public not having any input on this item. He feels the words "Where Our Nation Reunited" should be included. He would also like to see the present signs enhanced with stone or with a rock base. The new signs were too modern.

Mr. Kendrick also feels "Where our Nation Reunited" should be included. He would also like to see a contest of sorts as to suggestions. This would be an excellent School Project.

Mr. Moore has heard from a number of citizens who would like to see the old signs remain. He himself likes the present ones. He has noted on several occasions people stopping to take pictures of the signs, he does not feel anyone will want to take their picture with one of the new signs.

Mr. Hancock has received calls from several members of the Spout Spring Ruritan Club who do not wish to have the old signs replaced. Some feels the old signs can be beautified with flowers, etc.

Mr. Carter received comments that there should be citizen input from either a contest type thing or a public hearing for comments.

#2 - VACo Legislative Agenda: In October the Board joined with VACo to bring about certain legislative items to be presented to the upcoming General Assembly. Recently he has picked up some information that leads him to be unhappy with what was sent to Richmond. He read from a document, the top priority items being presented: the 50/40/10 Revenue Formula, based on where the wages were earned. He does not feel we, Appomattox County, will benefit from this.

After some discussion on this subject Mr. Carroll was asked to check on HB599 and the 50/40/10 formula and report back to the Board.

#3 - The people have expressed their opinion for a change. He would like to be able to tell the citizens that the Board is serious about harnessing spending and that the Tax Rate will equalize the reassessment. This Board has to get tight, be tight and stay tight.

Mr. Moore spoke regarding the reassessment, we have to look at the tax rate. We do not have total control of the budget with State and Federal mandates etc. but we will look at cutting funding.

It is the feeling of all members of the Board of Supervisors that they will do everything they possibly can to keep County expenditures as low as possible.

Mr. Carter next stated that the Board needed to enter into a closed session at this time.

At 6:42 p.m. Mr. Kendrick made a motion seconded by Mr. Hancock to enter into a closed session in accordance with §2.2-3711.A.1 - Personnel Matters and §2.2-3711.A.7 - Legal Matters. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr.

Kendrick, aye.

At 8:25 p.m. on a motion by Mr. Kendrick seconded by Mr. Carwile, the Board returned to regular session. Mr. Carter read the following Certification Motion:

Whereas, this Board convened in a closed meeting under § 2.2-3711.A.1 and §2.2-3711.A.7, Of the Code of Virginia for the purpose of discussion personnel and legal matters.

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.
I call the question: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.
Mr. Hancock left the meeting at 8:27 p.m.

Mr. Carter called for the first item under **Administrative Items:**

1. Gateway Signs: The Board at the last meeting determined that it would re-visit this issue at this time. The vendor has provided at no cost to the County a comparison of our current sign to Campbell and Amherst County's gateway signs for your discussion.

Mr. Carwile feels this topic has been covered already tonight and he would like to have a vote to rescind the previous decision and hold a public hearing on this matter.

Mr. Kendrick made a motion seconded by Mr. Carwile to rescind the previous decision of the Board regarding the gateway signs. VOTE: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Moore questioned the use of the Gateway Grant funds to improve the looks of the present signs.

Mr. Carroll stated he will look into what the wording on this grant funding application is and just what we can do.

By consensus, the Board will have a Public Hearing on February 4th at 6:30 p.m. to receive public input on the gateway signs.

2. Board Appointments:
   a. **Community Services Board:** Mr. Moore's term on this board has expired, but he is eligible to serve another term if he and the Board desires.

Mr. Carwile made a motion seconded by Mr. Kendrick to appoint Mr. Moore to the Community Services Board for another term to expire on December 31, 2004. VOTE: Mr. Carter, aye; Mr.

Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

b, **I. D. A.** Mrs. Kay Robertson has resigned from the I.D.A. and Mr. Danny Moon has been suggested to fill the vacancy created by Mr. Robertson's resignation.

Mr. Moore made a motion seconded by Mr. Kendrick to appoint Mr. Danny Moon to fill the unexpired term of Mrs. Kay Robertson on the I. D. A. VOTE: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

3. Planning Commission Recommendations: Planning Commission recommendations concerning Petition 01-489 - Harrison Kelso for conditional zoning petition to re-zone parcels of land located at Tax Map #62(A)45, 46, 52, 53 and 66A from R-1 to R-2.

Mr. Carwile made a motion seconded by Mr. Moore to approve Petition 01-489 - Harrison Kelso to re-zone Tax Map parcels #62(A)45, 46, 52,53 and 66A from R-1 to R-2 for reasons of public necessity, convenience, general welfare and good zoning practices. The following proffer has also been approved in conjunction with this petition:

"Construction of dwellings limited to single-family double-wide and triple-wide manufactured homes, modulars, and stick-built homes. Single-wide homes and multi-family dwellings are to be excluded from the properties to be re-zoned."

VOTE: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

4. Resolution of Recognition: The Planning Commission, Board of Zoning Appeals and Industrial Development Authority have submitted Resolutions of Recognition to be presented to members leaving these Boards/Commissions.

On a motion by Mr. Kendrick seconded by Mr. Moore the Board decided to present these Resolutions of Recognition as presented at the meeting on January 22, 2002. VOTE: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter next presented the **Consent Agenda: (Items 5 - 14)**

5. Approval of Bills: Payment of bills for month.

BOARD ACTIONS:

6. Virginia Department of Health - Local Government Agreement: Please find the Virginia Department of Health - Local Government Agreement for the Board's consideration. Does the Board wish to authorize the County Administrator to execute this agreement?

7. Capital Improvement Fund: The Treasurer has informed the Board that the funds are available to transfer $350,000.00 to the Capital Improvement Plan Account in accordance with the adopted budget.

9. Animal Friendly Tags: The County Administrator is requesting permission to accept the $150.00 designated from the sale of Animal Friendly License Plates and to transfer these monies to the A.W.A.G. for further dog and cat sterilization.

10. Law Library: Please appropriate $89.95 as requested for the Law Library.

SUPPLEMENTAL APPROPRIATIONS:

11. Sheriff's Department: Please supplement 3301-7001 - Equipment by $33,000.00 to reflect an award of the Edward Byrne/Community Oriented Justice Grant for the purchase of jail management software and video imaging system. Funds for this grant are broken down as Federal $24,750.00 and Local $8,250.00.

12. Library: Please supplement 7301-5411 - Books $366.08
7301-5401 - Office Supplies 153.86
7301-5840 - Special Library Fund 109.85
This reflects fines and fees collected and/or donations received.

13. Landfill: Please supplement 4206-5413 Recycling and Litter Prevention by $328.00 to reflect additional funds received from the litter grant.

14. Regional Commission: Please supplement 8101-6001 - CVPDC by $812.00 for the difference in budgeted dues $5,356.00 and actual dues of $6,167.25.

After some discussion, Mr. Kendrick made a motion seconded by Mr. Moore to approve the Consent Agenda as presented with the exception of Item #8. - Registrar's Request. VOTE: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter next called for discussion on **Consent Agenda #8 - Registrar's Request:**
The Code of Virginia allows the Board to set salaries for the assistant registrar position. The Registrar, is requesting permission to grant a raise retroactively to December for her current assistant registrar and is also requesting the authority to grant future raises as the budget allows.

Mr. Carwile stated that he was aware that the Code of Virginia allows for one assistant. However, our registrar uses two, alternating the work days and they are being paid $49.00 per day. Recent changes have created an increased workload. He has no objections to granting the raise retroactive to December but he has a problem with giving the authority to grant raises in the future.

Mr. Carwile made a motion seconded by Mr. Kendrick to grant raise for assistant registrar position, retroactive to December 1, 2000 but not granting permission for registrar to grant pay increases in the future but to continue with the Code. VOTE: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter next presented the **Informational Items:**

15. Biosolids: The Virginia Department of Health has responded regarding the Board's November 16th resolution.

After some discussion centering around the fact that the citizens are still looking for some

meaningful restrictions, the Board decided to hold a work session for Biosolids only on Monday, January 28th at 6:30 p.m. The Board would also like to have Brandon Stidham, County Planner attend this work session.

16. VDOT Secondary Road Hearing: VDOT has submitted a summary of the hearing held on December 3, 2001.

17. Landfill: Hurt and Proffitt has submitted a report regarding cell volumes remaining at the current cell.

18. Appomattox Volunteer Fire Department: The Appomattox Volunteer Fire Department has sent the Board of Thank You for the Christmas Donation.

19. School Financial Report: The School Administration has submitted their financial report for February 2002.

Mr. Carter reminded the Board members of the public hearing to be held on Tuesday, January 22, 2002 at 6:00 P.M.

Mr. Carter reminded the Board of the Rescue Squad Dinner on January 12, at 6:30 p.m. Mr. Carroll will RSVP for Mr. Moore, Mr. Kendrick, Mr. Carwile and Mr. Carter.

Mr. Carroll also asked the Board Members to complete the Statement of Economic Interests Statements by the 15th of January and also a survey from Stan Goldsmith, Region 2000.

At 8:55 P.M. Mr. Kendrick made a motion seconded by Mr. Moore to adjourn. VOTE: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Samuel E. Carter

Samuel E. Carter, Chairman

At 6:30 p.m. on Tuesday, January 22nd, 2002, the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Jerry G. Kendrick - Appomattox River District

ALSO PRESENT:
Andy Carroll - County Administrator

At 6:35 p.m. Mr. Carter called the meeting to order and asked Mr. Hancock to give the invocation.

Mr. Carter announced that at this time we will recognize some citizens who have over the past years given of their time and talents to make Appomattox a better place to live by serving on various Boards and Commissions.

Board of Zoning Appeals:
Matt Lair
Planning Commission:
Claude Allen Moore
Wayne Lewis
Industrial Development Authority:
Charles Leon Turner
Floyd Williams
Winfred Nash
Kay Robertson
Berk Drinkard

Mr. Lair, Mr. Moore, Mr. Lewis and Mr. Williams were presented with A Certificate of Resolution for Service. The others were not present and will be given their Certificates at another time.

The Board decided to move to Administrative Items due to the time constraints of a Public Hearing scheduled for 7:00 p.m.

Administrative Items:

1. Biosolids: There is a lobbying effort in the General Assembly to get clarification for what localities have the power to restrict with regards to land application of biosolids. The cost of participating in the lobbying effort is $5,000.00. Does the Board wish to join in supporting this lobbying effort?

Mr. Carroll added that each Board members should have two items received today. One is a notice of a meeting of citizens biosolids group headed up by C. W. Williams regarding a meeting on 2-16-02 at the Louisa County Courthouse. The other is a copy of Senate Bill 618, generated by the lobbying efforts on biosolids. There will be a press conference on SB 618 on Monday, January 28th,

in Richmond.

Mr. Kendrick , Mr. Carwile, and Mr. Hancock all support the lobbying effort of SB618.

Mr. Moore feels there needs to be a change made in Richmond

After some discussion, Mr. Kendrick made a motion seconded by Mr. Carwile to join the coalition named "Coalition for Clarity in Sewage Sludge Authority" for lobbying against biosolids headed up by Shannon R. Varner and the law firm of Troutman, Sanders, Mays & Valentine LLP for a fee of $5,000.00. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

2. Dumpster site improvements: Landfill staff have received two bids for site improvements at Oakville, Vera, and Route 604 dumpster sites to add a total of four new box locations. These bids were both approximately $35,000.00. Only $27,000.00 had been budgeted for this expenditure.

There was some discussion regarding who will make the decision on which bid to accept. Also suggestion was made that we go back to bidders and ask them to reconsider their bid to fall within our budgeted amount.

By consensus the Board agreed to ask the two bidders to reconsider their bids to be more in line with what the Board had budgeted for this expenditure.

Mr. Moore is greatly concerned with persons placing cardboard boxes in the regular dumpster instead of the box designated for cardboard only. According to the landfill personnel, 30 - 40 % of the dumpster space is taken up with paper and cardboard. We need to find a way to get citizens of the County to use the containers at the dumpster sites properly. Maybe by the use of bigger and better signs.

Mr. Kendrick made a motion seconded by Mr. Moore to put signs at the dumpster sites regarding which containers are for CARDBOARD ONLY AND/OR HOUSEHOLD GARBAGE.

Mr. Carwile has some reservations on moving too fast. Maybe this should be moved to Supervisors' Concerns in order to give more consideration.

Mr. Kendrick then withdrew the above motion and made a new motion seconded by Mr. Carwile to place this item on the agenda for the next meeting. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

At 7:01 p.m. the Board recessed until after the Public Hearing.

At 7:05 Mr. Carter reopened the Board meeting

3. Board of Equalization: The Daily pay rate for this Board needs to be set. The Board of

Assessors were paid at a rate of $70/day. Do we wish to use this same rate?

Mr. Carwile feels the Board of Equalization will spend an equal amount of time and be under more demanding circumstances in their capacity, therefore, they should receive an equal rate of compensation if not more than the Board of Assessors.

The remaining members of the Board feel the same.

On a motion by Mr. Carwile seconded by Mr Moore, the rate of pay for the Board of Equalization will be set a $70/day. Vote: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

At 7:08 p.m. Mr. Carter stated it was necessary for the Board to enter into a closed session in accordance with Section 2.2-3711.A.1 of the Code of Virginia to discuss a personnel matter.

On a motion by Mr. Moore seconded by Mr. Kendrick the Board entered into a closed session under Section 2.2-3711.A-1 - Personnel Matters. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

At 8:12 p.m. on a motion by Mr. Moore seconded by Mr. Kendrick the Board returned to regular session. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter then read the following certified motion:

Whereas, this Board convened in a closed meeting under section 2.2-3711.A.1 Of the Code of Virginia for the purpose of discussing a personnel matter.

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

I call the question: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter asked if there were any motions to be presented as a result of the closed session.

Mr. Kendrick made a motion seconded by Mr. Moore that the Board offer Mr. Andy Carroll, our County Administrator, a 3.5% pay increase in accordance to the performance evaluation he has received and what was budgeted for this purpose.

Mr. Carwile stated he is taking the stand that because of the economy of the country not just the county,"I feel that we have got to be tight this year with our budget and with that view in mind I will

not support any raise for Mr. Carroll with my vote. If we mean business as we have talked to the public and said we would do, that we should be conservative on this, we must quit spending. I will have to vote no on this issue".

Mr. Carter called for further discussion. Hearing none, Mr. Carter called for a vote on the motion before the Board. VOTE: Mr. Carter, aye; Mr. Hancock, nay; Mr. Carwile, nay; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter next presented the **Consent Agenda: (items 4-9)**

4. Approval of Bills: Bills presented for payment.

5. Approval of Minutes: Minutes of Regular Meeting December 3, 2001; Public Hearing on December 3, 2001 - Zoning Ordinance Modification - Section 30-1; Public Hearing on December 3, 2001- Zoning Ordinance Modification - Section 170-32

BOARD ACTIONS:

6. Water Connection in County: Fred Jones has requested that the Town make a water connection to his warehouse on Route 656 to allow the building to have a sprinkler system and sewage system. The Town Council has agreed to make the connection.

7. Livestock Damage Claim: Citizen claim in the amount of $100.00 for livestock killed by dogs .

SUPPLEMENTAL APPROPRIATIONS:

8. Sheriff's Department: Supplemental appropriation of $508.77 to 3102-1002 - Regular Overtime to reflect payment received for overtime work.

9. Two-for-Life: Supplement line item 3203-5604 - Two for Life by $6,358.00 to reflect payment received for this purpose from the state. (Last year's Two-for-Life funds were not paid out until this budget year necessitating this supplemental request.)

Mr. Carter called for discussion on the Consent Agenda.

Mr. Carter asked Mr. Carroll to explain the notation regarding last years funds. Mr. Carroll stated that the funds from the state were not spent until this year, therefore, this amount is for two years.

Mr. Kendrick made a motion seconded by Mr. Moore to approve the Consent Agenda as written. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter then called attention to **INFORMATIONAL ITEMS: (items 10-17)**

10. Elementary School Committee: The School Board has agreed to the Supervisor's proposed make up of this committee. The Town of Appomattox has declined to participate. Names of persons appointed by the School Board have not been submitted. Hopefully, this information

will be available for the February 4th meeting.

Mr. Carroll stated he has received this information from the School Board. They are:

Mrs. June Chenault - Courthouse District
Mr. Blair Smith - Wreck Island District
Mrs. Martha Pankey - Piney Mountain District
Mr. Fred Lawson - Falling River District
Mrs. Beverly Wooldridge - Appomattox River District

The appointees from the Board of Supervisors should be presented at the next meeting.

Mr. Carwile stated he is shocked that the Town did not wish to participate in this endeavor and was wondering if anyone had any ideas as to their reason.

11. Landfill Inspection Report: DEQ inspection for December 20, 2001.

According to Mr. Carter there has been some concern portrayed by the inspector. Mr. Carroll explained that these concerns have been or will be addressed shortly.

12. Regional Hazardous Materials Response Team: The Board has received a response from the Department of Emergency Management regarding the request that Lynchburg's Fire Department serve in this capacity.

This request was denied but we received a note of appreciation for our support.

13. Holliday Lake State Park: Ms. Ann Zahn, Park Manager has written the Board concerning the tourism impact of Holliday Lake on the community. Ms. Zahn also furnished the Board with some interesting facts and figures as well as some newsletters being published by the park on a regular basis.

14. Tobacco Grant: Grant Application as submitted for the Appomattox Workforce Training Center Study.

Mr. Carter was very please with the information contained in this grant application. He congratulated the staff on a job well done.

Mr. Carwile stated he understood this to be one year funding only. Questioned if there were other sources available that we could tap into.

15. Zoning and Variance Public Hearing Schedule: Mr. Stidham, County Planner has submitted the schedule for Zoning and Variance Public Hearing along with the dates petitions must be submitted for inclusion each month.

16. Town Council Agenda: Agenda for Appomattox Town Council's meetings for January 14 and January 22, 2002.

17. 50/40/10 Proposal from VACo: VACo has provided us with some information regarding the 50/40/10 plan as requested.

Mr. Carter next called for **Supervisor's Concerns** which has been moved to the end of the meeting as per the Board's decision at it's last meeting.

Mr. Carwile suggested that the Board consider doing something in memory of C. T. Moses as he has done so much for this community. He suggested that the Board consider giving to the upkeep of the eternal flame. The cost of keeping this flame is approximately $2,400.00 per year.

The rest of the Board is in agreement with doing something along these lines and by consensus agreed to give this some thought. This item will be placed on the February 4th,

Mr. Carter stated he had two concerns to bring before the Board.

(1) We need to look at the reassessment with regards to the time frame. We need to have the staff put together some pros and cons with staying with the six year plan vs going with a four year plan. Something will give us a better idea somewhere down the road in regards to a reassessment time frame.

Discussion centered around the fact that value increases are so great that it almost becomes a shock when the reassessment notice arrives for the six year period. Also how does this affect the County financially and how it affects the taxpayer. A 30% to 60% increase is a tremendous burden for the taxpayers, especially those on fixed incomes.

Also, we must accept the fact that when dealing with the number of units in the County and based on $12.00 per unit, a large number of our units are vacant tracts of land. Also we need to look into the regional reassessment concept to the possibility of saving money.

(2) He would like for a spokesperson from the local Chamber of Commerce to appear before the Board and present their marketing strategy on tourism for the County so we can determine how we stand. When visiting other localities he finds brochures on various localities but never on Appomattox County. He would like to know what our local Chamber is doing regarding marketing.

Mr. Kendrick stated he will be unable to attend the work session scheduled for January 28th, 2002. He feels this work session should be postponed until after the legislative hearing in Richmond. The outcome of this legislation will effect what we can do on this issue.

Mr. Carwile feels the legislative initiative is better.

The consensus of the Board was that the meeting scheduled for Monday, January 28th regarding biosolids ordinance be canceled.

Mr. Carter called attention the upcoming meetings:
Wednesday, January 23rd, 2002 at 6:00 P.M. - Spout Spring Ruritan Club

VDH public hearing regarding biosolid applications for Appomattox County

Monday, February 4th, 2002 - 6:30 p.m. Regular Board Meeting and Public Hearing for Gateway Signs.

At 8:50 p.m. on a motion by Mr. Kendrick, seconded by Mr. Hancock the meeting was adjourned. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Samuel E. Carter

Samuel E. Carter, Chairman

At 7:00 p.m. on Tuesday, January 22nd 2002 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a public hearing at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va. 24522.

PRESENT: Samuel E. Carter, Chairman - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Jerry G. Kendrick - Appomattox River District

ALSO PRESENT:
Andy Carroll - County Administrator

At 7:01 p.m. Mr. Carter opened the Public Hearing and stated the purpose of the public hearing to consider the follow changes to the Appomattox County Code.

Chapter 17 - Erosion & Sediment Control: Update to conform with Code of Virginia requirements, among other changes.

Mr. Carter called for comments for or against this amendment.

Hearing none, Mr. Carter read the next amendment.

Chapter 170 - Section 97.1 - Joint Board of Zoning Appeals: Update to conform with Code of Virginia requirements, among other changes.

Mr. Carter called for comments for or against this amendment.

Hearing none Mr. Carter read the next amendment.

Chapter 170 - Article XXI (Special Public Interest Overlay Districts, Generally) and XXII (Agricultural A-1 Intensive Farming Overlay District; Intensive Livestock, Dairy, Poultry Facilities); Associated Right-to-Farm Act amendments: Amend zoning ordinance to provide for intensive farming overlay districts and to conform with Right-to-Farm Act requirements.

Mr. Carter called for comments for or against this amendment.

Hearing none, Mr. Carter declared the public hearing closed at 7:04 p.m.

Samuel E. Carter

Samuel E. Carter, Chairman

The Appomattox County Board of Supervisors held a Public Hearing on Monday, February 4, 2002 at 6:30 P.M. to receive comments on the replacing of the County's Welcome (Gateway) Signs.

PRESENT: Samuel E. Carter, Chairman - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Jerry G. Kendrick - Appomattox River District

ABSENT: Russell H. Moore - Piney Mountain District
(Arrived at 6:33 P.M.)

ALSO PRESENT:
Andy Carroll - County Administrator
John Spencer - Assistant County Administrator
Lee Byrd - Attorney - Sands, Anderson, Marks & Miller
Dan Siegel - Attorney - Sands, Anderson, Marks & Miller

At 6:33 P.M. Mr. Carter opened the public hearing and stated the purpose of the hearing was to receive comments regarding the County's entrance/gateway signs. Mr. Carter also asked that each speaker come forward and give their name and address for the record.

Mr. Carter called the first speaker, Mrs. Edith McCormick.

Mrs. McCormick gave her address as Spout Spring. She stated she had written and also spoken to the Board of Supervisors regarding not replacing the present signs. Please do not purchase the new signs. Mrs. McCormick also presented the Board with a petition containing approximately 290 names of citizens against the new signs. She also feels we should use the money originally intended for signs to upkeep and beautify the original signs.

Dr. Betty Siano came forward and gave her address as 106 Virginia Avenue, Appomattox. Dr. Siano began by stating that the present welcome sign was one of the things that drew them to the area, also with the wooden rail included in the National Historic Park landscaping. Those signs reflect the fact that this was and is a historic place. These weatherbeaten signs give a sense of country, hallowed ground, tranquility and serenity; Also the opportunity to learn more about what had really taken place here.

The new signs have no appeal, no sense of history. It seems to be that everything that this Board does is done without forethought and without any response from the community. She called for the Board to start making decision based on experience, sound reasoning, exploration of alternatives, planning, cost and the welfare of the majority of the citizens of the County. Repair, Reconstruct, and Repaint what we now have.

Mrs. Susan Book of 110 Wildwood Road was the next to address the Board. She stated she is a life long resident and tax paying resident of Appomattox County. Wished to take this opportunity to express her sincere gratitude for the open forum concerning the Tobacco Indemnification Grant with special focus on our historical Welcome to Appomattox Gateway signs. She feels this tobacco grant money should go the people it was allocated for, the tobacco farmers, who have literally had the bottom taken right from under them. How will these signs help the farmers in our county?

Mrs. Book stated she had contacted the County Zoning Commissioner to see just what this grant entailed. She also quoted articles from the Lynchburg News & Advance and the Appomattox Times- Virginian.

Mrs. Book stated that several of her requests regarding the signs seem to have fallen on deaf ears. She feels these signs are old friends and should be good for another 50 years. Keep the old signs regardless of what other counties do. Please preserve these old historic signs that some of us have known for all of our lives.

The next speaker was Lee Munsick, Route 1, Pamplin, Va.

Mr. Munsick began by saying that he had moved here in the last two years from Morristown, New Jersey, which is known as "the military capital of the revolution". General Washington and his staff were in Morristown during two winters of the revolution. They are very interested in history, and that is one of the reasons they moved to Appomattox.

The type of signs proposed may be find for Cape Canaveral but not for Appomattox. Please keep something symbolic for the county and town. This new sign will not project the historic image necessary to attract tourists. With funds as tight as they are at the present time, why spend money on something that is not top priority.

Mr. Frank Thomas came forward and gave his address as Red House Road, Appomattox, Va.

Mr. Thomas stated that first of all there is no question that the new signs approved by the Board of totally out of character and in bad taste for Appomattox, County. Also the County went out of town to Signs, Logos and More to get these signs designed while we have people in the area with design expertise. The existing signs need to be renovated, if it can be done at a reasonable rate, plus we can be sure that these signs will last. Landscaping needs to be added also.

The other alternative is to replace the old signs with new signs fabricated in signs foam which can be designed to project the same look as the original signs. I am requesting that you open up the bidding again so as to extend an opportunity to my firm and to any other firm located in Appomattox County that may want to participate.

Mr. Thomas also gave a brief background of the type of work his company does and also presented some samples of their work.

Mr. Carter asked if anyone else wished to speak that had not signed up to do so.

Mr. Carter next read a couple of letters that had been received by the Board of Supervisors regarding the Welcome Signs.

The first letter was from Mrs. Louise Martin who states she is all for keeping the signs as they are and doing whatever is necessary to preserve them. They are uniform and express what our County stands for, Unity, Peace, Freedom and there is magic in America's dreams.

Mrs. Anne Miller, President of the Appomattox Garden Club wrote that the Garden Club wishes to express its opposition to replacing the existing historical signs with the proposed new signs. In their opinion the existing signs are more historic in appearance for our County than the more modern proposed signs. They do have a suggestion, landscaping could add much appeal which in turn would enhance the public's view of the County. To do this, the area around the signs would have to be elevated to protect the landscaping from mowing. They would suggest that we re-file the grant application for use in landscaping and upkeep and maintenance. The Garden Club would also like to offer their help in any way necessary.

Mrs. Estelle McCraw also wrote a letter as a member of the Garden Club stating she would like to see the old signs retained, not replaced with a more modern sign.

Mrs. Estelle Franklin wrote asking the Board to retain the old signs. The new signs are not as good quality as the old signs. They are a little too modern but as long as we have $45,000 to spend why not do something really outstanding like one big sign with "Lee & Grant" or maybe "horses in color". They would be here 50 years from now and she would like to see them. Also maybe we could plant trees which will be around for years, like George Washington did. His trees are still there. Also, with that much money, you can do lovely flower gardens.

Mr. Carter next read a letter from Mrs. Russell B.(Edith) McCormick. Mrs. McCormick is requesting that the Board not change the historic welcome signs. Use the money available for upkeep on the existing ones. She feels the old signs give a warm and friendly welcome, while

the newer ones are cold and unreadable. I am glad you decided to rescind this decision and let the citizens have a say. The citizens put you in office, trusting you to make wise decisions in matters for all. This has not been a good one. She has a list of over 100 names of persons who want to keep the old signs. Please keep the old signs.

At 7:00 p.m. Mr. Carter closed the public hearing.

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, February 4, 2002, the Appomattox County Board of Supervisors held its regular scheduled meeting at 7:00 p.m. following a public hearing. The meeting was held at the Appomattox County Courthouse, Courthouse Square, Court Street, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman - Courthouse District
Jesse L. Hancock - Falling River District
Frank H. Carwile - Wreck Island District
Jerry G. Kendrick - Appomattox River District

ABSENT: Russell H. Moore - Piney Mountain District
(Arrived at 6:33 P.M.)

ALSO PRESENT:
Andy Carroll - County Administrator
John Spencer - Assistant County Administrator
Lee Byrd - Attorney - Sands, Anderson, Marks & Miller
Dan Siegel - Attorney - Sands, Anderson, Marks & Miller

At 7:05 p.m. Mr. Carter called the meeting to order and asked Mr. Kendrick to give the invocation.

Mr. Carter called David Neumeyer, Rhonda Knight and Renae Patrick of the Virginia Legal Aisds Society regarding their request to meet with the Board concerning the services that they are currently providing to Appomattox County Citizens and their request for funding consideration in the FY 2002-03 budget.

Ms. Knight gave a brief statement of the Virginia Legal Aid Society's purpose and mission. Who they are and what they do and also the type of cases they handle for the citizens of Appomattox County. Their mission statement is to resolve serious legal problems of low income people, to promote economic and family stability, to reduce poverty thru effective legal assistance and to champion equal justice. They are a non-profit law firm that provides free legal information, advice and representation in civil cases to low income individuals and families.

Ms. Knight stated how many offices they have, where they are located and the number of staff providing services. She also went into how they are funded and that they have resources to serve approximately half of those needing their services. She concluded her presentation with a number of statistics regarding the types and number of cases closed in Appomattox.

Mr. Neumeyer next spoke regarding the reasons funding from local government is so important to their organization.

1. They feel they develop stronger partnerships with local governments when funded by them. They are more familiar with other agencies and are able to transfer information to one another.

2. Financial - The majority of their fund come from State and Federal sources. These are becoming less and less. They do not receive any funding from their clients. In order to continue their level of services they need more local participation.

3. The other jurisdictions served by the Lynchburg Office along with Appomattox, all provide funding in the amounts they have requested and they are asking that Appomattox provide funding as well.

There was a brief questions and answer period following Mr. Neumeyer's presentation.

Mr. Carter thanked and excused Mr. Neumeyer, Ms. Knight and Ms. Patrick.

Mr. Carter next called John Wilson to address the Board.

Mr. Wilson had requested to meet with the Board to give a brief presentation on tourism. He is representing a group of citizen volunteers who have decided that the time has come to do something specific about attracting tourists to the town and county of Appomattox. They are considering asking groups of tourists to come and visit. They are an organization of volunteers not affiliated with the town or the Chamber of Commerce.

They have but one goal. This is to get tourists to come here and spend their money in Appomattox. Their independence is an advantage as they can quickly develop and test our pilot plan for this development. When it comes to the large scale application of their plans, they need the financial support of the local government and local organizations such as the Chamber of Commerce.

They have designed a brochure, a cover letter, and some additional material which he passed out to the Board, inviting people to come to Appomattox and spend approximately two hours downtown and two hours at the park Most of the emphasis on the surrender is placed on the National Park, but if there had not been the capture of three (3) trains here at the depot, the surrender may have taken place elsewhere. There is quite an interesting story to be told to tourists regarding the downtown area.

They are requesting the Board donate $1,000.00 for the cost of providing these brochures to be sent to travel agencies, tour Bus operators, schools, etc. They are asking that these funds be set aside and disbursed when bills and invoices are presented for payment. They will be reporting to the Board on a quarterly basis. They intend to ask the Town of Appomattox to donate a similar amount of support and hope they will respond positively. They would like a response within the next couple of months.

After some positive comments from the Board, Mr. Carter thanked and excused Mr. Wilson.

Mr. Carter stated the Board needed to have a closed session as per §2.2-3711.A.7 legal matters:. (1) Courthouse litigation and (2) Biosolids Regulations.

Mr. Kendrick made a motion seconded by Mr. Moore at 7:40 p.m. for the Board to enter into a closed session in order to discuss legal matters. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

At 10:10 p.m. on a motion by Mr. Carwile seconded by Mr. Hancock the Board returned to regular session. VOTE: Mr. Carter, aye; Mr. Hancock, aye, Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter read the following certifying statement:

Whereas, this Board convened in a closed meeting under Section 2.2-3711.A.7, Of the Code of Virginia for the purpose of discussing legal matters.

And whereas, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

Now be it certified, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

Roll Call Vote: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Carter asked if there were any discussion as a result of the closed session.

Mr. Carroll stated these would be covered under Item 1 of the Administrative Items:

Administrative Items: (Items 1 - 8)

1. **Proposed Ordinances:** On January 22, 2002 a public hearing was held to receive comments on three (3) proposed ordinances:
   a. Chapter 71, Erosion & Sediment Control Ordinance.
   b. Chapter 170, Section 97.1, Joint Board of Zoning Appeals (revision)
   c. Chapter 170, Articles XXI, Intensive Livestock Ordinance

Mr. Kendrick made a motion seconded by Mr. Moore to accept the three (3) proposed ordinances;
a) Chapter 71, Erosion and Sediment Control Ordinance
b) Chapter 170, Section 97.1, Joint Board of Zoning Appeals (revision)
c) Chapter 170, Articles XXI, Intensive Livestock Ordinance.
VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr Moore, aye; and Mr. Kendrick, aye.

Mr. Kendrick made a motion seconded by Mr. Carwile to amend the Intensive Livestock Ordinance for public health and safety reasons basically regulating the application of biosolids, in light of Virginia Institute of Marine Sciences study as cited in the Richmond Times Dispatch this date. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

3. Budget Work Plan: Proposed budget work plan for consideration, discussion and alteration.

Mr. Carroll stated this was basically a schedule of possible budget work sessions in order for the Board to be able to meet the deadlines for the public hearing on proposed tax rate, and the setting of the tax rate in order to meet the June 5 deadline for collection of taxes.

Mr. Carter stated he could not attend the meeting on March 16, 2002. This schedule was agreeable to the rest of the Board. They will meet at 9:00 a.m. on Saturdays and 6:30 p.m. on Mondays.

Proposed FY03 Budget Work Plan

Monday, January 28	Send out budget worksheets to departments
Wednesday, February 20	Receive budget worksheets back from the various departments
Friday, March 1	Budget packet goes to board members for initial review
Saturday, March 9	Budget work session **(9:00 A.M.)**
Monday, March 11	Budget work session to meet with constitutional officers, independent agencies, special requests and department heads to go over proposed budgets and requests **(6:30 P.M.)**
Saturday, March 16	Budget work session **(9:00 A.M.)**
Monday, March 18	Set proposed tax rate for advertisement for Public hearing scheduled for April 1(possibly also advertise budget for public hearing on April 1) **(6:30 P.M.)**
Monday, March 25	Budget work session (if needed) **(6:30 P.M.)**
Monday, April 1	Public hearing on proposed tax rate (budget?) **(6:30 P.M.)**

Monday, April 8	Budget work session to set tax rate and refine budget (tax rate needs to be set at this meeting so tax tickets may be sent out for June 5 collection) **(6:30 P.M.)**
Monday, April 22	Budget work session (if needed) **(6:30 P.M.)**
Monday, May 6	Adopt FY03 budget at regular board meeting **(6:30 P.M.)**

4. Courthouse Repairs: There are two (2) items at the Courthouse that are in need of repair/scheduled maintenance. 1). Chairlift - needs adjustment and estimate received of $400.00 to perform work. 2). Boiler - needs some report work performed involving routine maintenance and replacement of exhaust pipe with an in-house estimate cost of $600.00. Board needs to authorize transfer of funds from Courthouse maintenance fund to cover these repairs.

Mr. Carwile commented that we need to receive at least two (2) estimates for the boiler repairs. Some discussion followed.

Mr. Kendrick made a motion seconded by Mr. Moore to authorize Mr. Carroll to proceed with the repairs to these two (2) items as needed. Also receive two bids on the boiler. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

5. E911 Resolution: Resolution from Fluvanna County Board of Supervisors and draft resolution supporting the state budget providing funds for the implementation of the E911 system as mandated by the State.

Some discussion on wire and/or wireless.

Mr. Kendrick made a motion seconded by Mr. Hancock to adopt a Resolution supporting the state budget providing funds for the implementation of the E911 system and to adopt the following resolution:

RESOLUTION OF SUPPORT
for
GOVERNOR'S BUDGET ITEM 469

WHEREAS, Appomattox County is committed to providing Enhanced 9-1-1 (E-911) services for the County's citizens; and

WHEREAS, Appomattox County has made a good-faith effort to develop E-911 wireline emergency telephone services in a timely manner; and

WHEREAS, Appomattox County needs assistance in funding creation of a digital mapping system; production and installation of street signage; verification of addressing and location of structures; establishment of a dedicated Public Safety Answering Point (PSAP); and other eligible expenses in order to comply with state and Federal implementation deadlines; and

WHEREAS, the Governor's Budget establishes a grant program to assist localities that are

making a good-faith effort to develop E-911 wireline emergency telephone services and have demonstrated financial need for state assistance;

AND WHEREAS, the grant program is not a general fund budget request, but is instead supported by special funds already designated for this purpose and held in reserve by the Wireless E-911 Board.

THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors supports retaining the full funding in the final Virginia biennium budget for the E-911 grant program established in item 469 of the Governor's Budget, and

BE IT FURTHER RESOLVED that the Appomattox County Board of Supervisors urges the Appomattox County legislative delegation to vote in support of retaining the full funding for the E-911 grant program as part of the final biennium budget.

VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

6. BOARD APPOINTMENTS:

a. Elementary School Committee: Need appointments for each district to serve on this committee. Also need a Board member to serve.

Mr. Kendrick would like to know how often they would need to meet and who would be the chair person.

Mr. Carter answered that after the committee was appointed, they would elect a chair person and decide upon a date and time to meet.

The following were nominated: Mrs. Shirley Eye - Appomattox River District; Mr. Russell Miller, Piney Mountain District; Mr. Curtis Wooten, Wreck Island District; Ms. Darlene Reed, Falling River District; and Mr. John Wilson, Courthouse District.

Mr. Moore made a motion seconded by Mr. Kendrick to appointment Mrs. Shirley Eye, Mr. Russell Miller, Mr. Curtis Wooten, Ms. Darlene Reed, and Mr. John Wilson to serve on the Appomattox Elementary School Committee. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Mr. Jesse Hancock volunteered to serve as the Board Member for the Appomattox Elementary School Committee, depending upon times of meetings.

Mr. Kendrick made a motion seconded by Mr. Carwile to appoint Mr. Jesse Hancock to the Appomattox Elementary School Committee as the Board of Supervisors representative. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye, Mr. Moore, aye; and Mr. Kendrick, aye.

b. Board of Zoning Appeals: If the Board approves the proposed ordinance revision on Chapter 170, Section 97.1 - Joint Board of Zoning Appeals (item 1b -of this agenda) these appoints need to be made also.

After some discussion Mr. Carwile made a motion seconded by Mr. Kendrick to appoint the following as members of the Board of Zoning Appeals: Ms. Susan Hudson - two year term; Mr. Dale Campbell - Four year term; and Mr. James Cheatham - Five year term. Vote: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

7. Memorial in Honor of Mr. C. T. Moses: This item was discussed under Supervisor's Concerns at the January 22nd , 2002 meeting centering upon eternal flame.. Decision was to place on agenda for tonight.

Mr. Carwile stated that the War Memorial with the eternal flame was erected in May 1971. The American Legion Post 104 accepted the responsibility of this project under the leadership of Charles T. Moses, Jr., Harold W. Babcock and Ivy Holland, all deceased. It is his belief that there are only two such eternal flames in Virginia, the one in Appomattox and another in Arlington National Cemetery. He suggests that a stone be placed at the base of this memorial to recognize C. T's. 30 years of dedication to keeping this flame burning.
It was the consensus of the Board that Mr. Carroll and Mr. Carwile work together to get the wording down for this project and also to get some estimates of cost.

8. Dumpster Site Signs: The Board has requested this be placed on the Agenda for discussion.

There was a lot of discussion regarding putting signs on the dumpsters stating "TAXES CAN BE LOWERED BY RECYCLING" OR "SAVE YOUR TAX DOLLARS BY RECYCLING".

Mr. Carroll stated they have tried this method but it has not worked. People just do not pay attention to signs. The County does not have an ordinance against not recycling.

The consensus of the Board is to have the Planning Commission develop an ordinance regarding this type of signage and what the consequences will be when this ordinance is violated.

CONSENT AGENDA: (Items 9-12)

9. Approval of Bills: Bills presented for payment.

10. Approval of Minutes: Minutes of Regular Meeting on December 17, 2001; and Organizational Meeting of January 7, 2002.

BOARD ACTIONS:

11. Law Library: Expenditure of $108.30 from Law Library.

SUPPLEMENTAL APPROPRIATIONS:

12. Sheriff's Department: Supplement line item 3102-1003 Regular Overtime by $86.00 to reflect payment received for after-school activities.

Mr. Kendrick made a motion seconded by Mr. Moore to approve the Consent Agenda as presented. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and

Mr. Kendrick, aye.

Mr. Carter next presented the **INFORMATION ITEMS:** (Items 13 - 19)

13. School's Financial Report: Monthly financial report for March, 2002.
14. Administrator's Report: County Administrators Report for January, 2002.
15. Letter from Town of Appomattox: Letter from Town Council explaining their reason for not participating in the Appomattox Elementary School Committee.
16. Smarter Region Newsletter: This newsletter provides information on business development activities within Region 2000 for the 4th quarter of 2001.
17. Workforce Summit 2002: Flier regarding Workforce Summit scheduled for April 10, 2002.
18. Department of Emergency Management: Letter received from Mr. Cline regarding our previous request to have the Lynchburg Fire Department serve as the regional hazardous materials response team.
19. Trailblazer: Received newsletter of the Virginia Civil War Trails, containing the additions of the Wilson-Kautz Raid portion of Lee's Retreat.

Mr. Carter next called for **Supervisor's Concerns:**
Mr. Carwile discussed the Old Caldwell House on the industrial park property. It is his understanding that there may be some old stuff in this house that would be considered County property that could be preserved by the Historical Society. Mr. Wayne Phelps and Delegate Abbitt have asked permission to recover anything of historical value before it is all destroyed or taken by someone else.

Mr. Carroll will recommend to the Industrial Development Authority that Mr. Phelps, Delegate Abbitt, monitored by a County Employee, be allowed to retrieve anything of value from the old house located on the industrial park and preserve it for the Historical Society. If the IDA is agreeable, they will contact the Historical Society.

Mr. Carter reminded everyone of the upcoming Board of Supervisors meeting on Tuesday, February 19, 2002 at 6:30 P.M. since the third Monday is a holiday.

The Board has been invited to the Cattleman's Association dinner on February 12th at the high school cafeteria at 6:30 p.m.

At 10:59 p.m. Mr. Kendrick made a motion seconded by Mr. Moore to adjourn. VOTE: Mr. Carter, aye; Mr. Hancock, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Kendrick, aye.

Samuel E. Carter

Samuel E. Carter, Chairman